Fifth Series, Vol. XLIII No. 27

Tuesday, August 27, 1974
Bhadra 5, 1896 (Saka)

# LOK SABHA DEBATES

(Eleventh Session)

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LOK SABHA

*Tuesday, August 27, 1974/Bhadra 5, 1896 (Saka)*

*The Lok Sabha met at Eleven of the Clock*

[MR. SPEAKER *in the Chair*]

ORAL ANSWERS TO QUESTIONS

**Appointment of Staff in Engineers India Ltd.**

508. SHRI BIRENDER SINGH RAO: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) the criteria laid down by Government for the appointment of staff, gazetted and non-gazetted in the Engineers India Limited, New Delhi;

(b) whether Government have inquired into the working of this Corporation during the last three years;

(c) whether any irregularity has been found; and

(d) the steps taken or proposed to be taken to improve its working.

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K BOROOAH): (a) According to the Articles of Association of the Company, the Board of Directors are competent to make appointment to all posts except certain categories for which approval of the President is required. Government have, therefore, not laid down any criteria for appointment of staff in the Company. Engineers India Limited do not have the categorisation of staff into gazetted and non-gazetted.

(b) No Sir,

(c) and (d) Do not arise.

SHRI BIRENDER SINGH RAO: The hon. Minister has in fact stated nothing in reply to my specific questions. The setting up and working of these corporations is very scandalous. I would seek further clarifiactions through you. The hon. Minister has stated that there are no criteria laid down for recruitment of staff.

SHRI D. K. BOROOAH: By the Government.

SHRI BIRENDER SINGH RAO: Yes, by the Government. I would like to know whether there are any criteria laid own for appointment of Directors and the President, and if so, the qualifications of the present Directors, Managing Director and President or Chairman of the company, Secondly, the hon. Minister has stated that Government have not looked into the working of this company for the last three years. I would like to know when this company was floated and whether Government have ever looked into its working so far after it was set up.

I would like to know what is the expenditure so far incurred by this company and what is its turn-out in terms of productivity.

MR. SPEAKER: You ask one connected question, self-contained question.

SHRI BIRENDER SINGH RAO: I know my limitations. I know you would stop me.

MR. SPEAKER: You will have another chance.

SHRI BIRENDER SINGH RAO: I would like to make one question out of several with your permission.

MR. SPEAKER: Keep something for the second question also.

SHRI BIRENDER SINGH RAO: When the hon. Minister does not give information, what am I to do? I have put questions in four parts and he has stated nothing. Kindly look into the question. All these are very relevant things.

SHRI D. K. BOROOAH: The hon. member has asked what are the qualifications for appointment of Managing Director, functional Directors and General Managers. These appointments are made by the Government: the post of Chairman and Managing Director. But General Managers are appointed by the President in consultation with the board of directors and the qualifications for all these jobs are very simple: suitability.

SHRI BIRENDER SINGH RAO: Before I put my next question, I would request you to ask him to reply to all my questions. I asked about the expenditure incurred....

MR. SPEAKER: I have seen you as Minister when I was Speaker in Punjab. You also did the same thing.

SHRI BIRENDER SINGH RAO: In Punjab, you were more strict with Ministers.

SHRI D. K. BOROOAH: This is a company which does mostly consultancy service and technological service. So really it does not produce anything tangible.

SHRI BIRENDER SINGH RAO: What has it earned?

SHRI D. K. BOROOAH: For 1970-71, its profit before tax was Rs. 69.42 lakhs. The provision for tax was Rs. 33.50 lakhs. The net profit earned was Rs. 35.92 lakhs and the dividend declared as a percentage of paid up equity was 10 per cent. In 1971-72 also it was 10 per cent. In 1972-73 also it was 10 per cent. The accounts for 1973-74 are not yet prepared. The accounts are audited by a firm of chartered accountants, J. C. Bhalla and Co., appointed by the company on the recommendation of the Comptroller and Auditor General. These are all verified by the Comptroller and Auditor General. If there are any mistakes, shortfalls etc. certainly Shri Jyotirmoy Bosu can look into them. There was another specific question. Reports are, of course, published and submitted. From time to time, our Ministry Discusses the problems of development and progress of this Company. In fact, this morning a meeting between us, between my Secretary and the Managing Director and Chairman of this Company was to have been held. Unfortunately, the mother of the Secretary—Shri P. K. Dave—of my Ministry died. Therefore, the meeting was cancelled.

श्री मधु लिमये : क्या यह बात सही है कि इंजीनियर्स इंडिया लिमिटेड के जो चेयरमैन हैं वह प्लानिंग कमीशन के भी सदस्य हैं और दो पदों पर रहने के कारण इंजीनियर्स इंडिया लिमिटेड के कार्य में बाधा उत्पन्न हो रही है। तो क्या मंत्री जी उन को सलाह देंगे कि इन दो में से एक पद को वह खाली करें ?

SHRI D. K. BOROOAH: It is a suggestion for action. Certainly, it will be considered on its merit.

श्री मधु लिमये : पहले मैंने यह पूछा कि क्या बाधा उत्पन्न हो रही है ? यदि हां, तो क्या एक पद खाली करने की सलाह देंगे ?

**श्री देवकान्त बरुआ** : मैं कोई तर्क नहीं करना चाहता। इन का कहना है कि दो पदों में से एक पद छोड़ देना चाहिए। कारण भी बता दिया। लेकिन उन का पौइंट यह है कि दो पद में से एक पद मे आना चाहिए।

**श्री मधु लिमये** : क्या यह बात सही है कि इजीनियर्स इंडिया लिमिटेड के कार्य में बाधा उत्पन्न हो रही है ? अगर आप का कहना है कि बाधा उत्पन्न नही हो रही है तो फिर कोई सवाल ही पैदा नही होता।

**श्री देवकान्त बरुआ** : माननीय सदस्य वहा नवन्याय चला रहे है जिस मे सिद्धान्त किया जाता है कि "तैल धारम् पात्रम्, मात्रा धारम् तैलम्।"

**श्री मधु लिमये** : यह श्री पाठक के साथ रियायत बरतना चाहते है।

**श्री देवकान्त बरुआ** : सदस्य महोदय के सुझाव पर गौर करना चाहिए क्यों कि उन्होने जो कहा है इस के बारे मे सोचना चाहिए कि बाधा हुई है कि नही। लेकिन अभी तक हमें ऐसा महसुस नही हुआ। लेकिन अगर उनको महसूस हुआ तो जरूर इस पर सोचा जायगा।

**Expenditure on advertisement in Newspapers by Eastern and South Eastern Railways**

*509. SHRI AJIT KUMAR SAHA: Will the Minister of RAILWAYS be pleased to state:

(a) the amount of expenditure incurred by Eastern Railway and South Eastern Railway on advertisement in different newspapers during and on eve of last Railway strike;

(b) names of the newspapers in which such advertisements were published and amount of payment made to each such newspaper;

(c) whether any articles were given for publication as advertisements; and

(d) if so, amount spent on this account.

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The expenditure incurred by Eastern and South Eastern Railways on advertisements in different newspapers during and on the eve of last Railway strike amounts approximately to Rs. 3,65,084.

(b) Information regarding details of advertisements released to individual newspapers is treated as confidential between the Government and the individual newspapers.

(c) No, Sir.

(d) Does not arise.

**अध्यक्ष महोदय** : है क्या, मेरी समझ मे नही आता।

**श्री अटल बिहारी वाजपेयी** : क्या अखबारो मे विज्ञापन देने का मामला कोई कांफीडेशियल मामला है ? इस सदन को इस जानकारी से भी अवगत नही किया जायगा ?

SHRI MOHD. SHAFI QURESHI: Sir, the hon. Member has earlier referred this question to the Ministry of Information and Broadcasting and he got a similar reply from the Minister of Information and Broadcasting, that there is no harm in giving out the names of newspapers. After all, advertisements appear in the newspapers. But, the question in regard to the amounts paid is treated as confidential.

*(Interruptions)*

SHRI AJIT KUMAR SAHA: May I know whether it is a fact that recently the Railway Minister, Shri L. N. Mishra, a few days back refused railway advertisement to the CPI(M) Daily *Ganashakthi* of Calcutta where-

as other party papers are given such advertisements? If so, what is the reason for not giving the railway advertisements to the main opposition parties paper?

SHRI MOHD. SHAFI QURESHI: The DAVP normally issues advertisements to the newspapers which are registered with them and which are eligible for advertisements. Whatever local newspapers are there, the railway advertisements are given to all of them irrespective of party affiliations.

SHRI AJIT KUMAR SAHA: May I know from which head of grant sanctioned by this Parliament for this ministry was the expenditure for advertisements during the railway strike met and whether the amount to be spent was left to the discretion of the Railway Board or the General Managers of the zonal railways?

SHRI MOHD. SHAFI QURESHI: The total budget allotment for classified advertisements which include job advertisements, train cancellations, tenders, etc. is about Rs. 50 lakhs out of which Government has spent about Rs. 42 lakhs in 1973-74 for display advertisements we have a budget allocation of about Rs. 1.90 lakhs. I have already given the figure spent on advertisements during the strike period.

SHRI JYOTIRMOY BOSU: On a point of order, Sir.

MR. SPEAKER: No points of order are allowed during question Hour.

**श्री अटल बिहारी वाजपेयी** : अध्यक्ष महोदय इस मामले में आप निर्णय दे दें कि सवालों के दौरान कोई व्यवस्था का प्रश्न नहीं उठना चाहिए । आम तौर पर हम उठाते भी नहीं हैं ।

**अध्यक्ष महोदय** : यह तो पहले से ही है ।

**श्री अटल बिहारी वाजपेयी** : लेकिन आप देखेंगे कि जवाब ऐसा है कि नहीं जो सदन को संतुष्ट करे, नियमों के अनुकूल हो किस नियम के अन्तर्गत माननीय मंत्री जी उन अखबारों का नाम बताने से इन्कार कर रहे है जिन्हें विज्ञापन दिया गया हैं या नहीं दिया गया है ?

**अध्यक्ष महोदय** : जब आप प्रश्न करेंगे तो पूछियेगा ।

**श्री ज्योतिमय बसु** : इस का जवाब नही दिया गया ।

**श्री मुहम्मद शफी कुरशी** : ईस्टर्न रेलवे ने जिन अखबारों मे ऐडवर्टाइजमेंट दिया है उन के नाम है स्टेटसमेन कलकत्ता," "हिन्दुस्तान स्टेन्डर्ड "....

**श्री अटल बिहारी वाजपेयी** : अध्यक्ष महोदय, वह पैसा बताने से क्यों इन्कार कर रहे है ? आप इन से पूछियें ।

SHRI JYOTIRMOY BOSU: What are the amounts?

SHRI MOHD. SHAFI QURESHI: Amounts I cannot disclose.

SHRI ATAL BIHARI VAJPAYEE: What is the secrecy about the amounts?

**श्री मधु लिमये** : इन विज्ञापनो मे कहा गया है कि रेल स्ट्राईक के समय में सब से बढिया काम हुआ माल ढोने का.... (**व्यंयबाण**) इस का अकाउन्ट नहीं आप देना चाहते ।

SHRI JYOTIRMOY BOSU: The House is entitled to know how much money has been given to each paper arising out of this Question. The country's security is not involved. There is no secrecy about it. Nothing at all. It is just to feather their nest ... (*Interruptions*).

SHRI MOHD. SHAFI QURESHI: I have already said that some Government advertisements are given by the D.A.V.P. There was a similar question asked by the hon. Member from the Minister of Information and Broadcasting. He had replied—I am quoting:

> "The information regarding the details of advertisements released to individual newspapers is treated as confidential.... (*Interruptions*)"

**श्री अटल बिहारी वाजपेयी** : अध्यक्ष महोदय, एक बार सदन मे गलती हो जाती है और किसी मंत्री को दोबारा जवाब देने की इजाजत दे देते है, तो उस का ही यह नतीजा होता है। अब यह सूचना मंत्री जी का हवाला दे रहे है। अगर एक दफा पहले गलती हो गई है, तो आज उस को दोहराने नही दिया जायगा।

**अध्यक्ष महोदय** : इसमे प्रिंसिपिल क्या है, यह तो वे बताएगे लेकिन आम तौर पर किसी का बिजनेस जो होता है, उसके सीक्रेट्स होते है।

**श्री अटल बिहारी वाजपेयी** : यह तो सरकार का मामला है।

**अध्यक्ष महोदय** : किसी का बिजनेस है, उस की नेचर क्या है, कहा से उसके पास रुपया आता है, क्या उस का जरिया है, अगर आप इस को प्रिविलेज करार देते है, तो कुछ न कुछ तो आप को बताना पडेगा।

After all, when the Government says that it is confidential, it is always very necessary that something could be given for its justification that it is confidential.

SHRI MOHD. SHAFI QURESHI: I would request you to give me some time so that I consult the Minister of Information and Broadcasting. (*Interruptions*)

**श्री अटल बिहारी वाजपेयी** : आप इस सवाल को स्थगित कर दीजिये और कल यह सवाल पहले नम्बर पर दिया जाए और मंत्री महोदय सूचना मंत्री जी से पूछ कर आए, मगर एक बात का ध्यान रखा जाए कि जिन अखबारो को विज्ञापन मिलते है सरकार से, उन्हें अपने हिसाब मे यह बताना पडता है कि इतना रुपया सरकार से विज्ञापनो का मिला। वह जानकारी कोई गुप्त जानकारी नही है और वह जानकारी सरकार को पता है। उस जानकारी को दूसरे लोग भी प्राप्त कर सकते है।

**अध्यक्ष महोदय** : इस को आप कांफीडेंशियलरखना चाहते है, इस की कोई वजह नही मालूम पडती।

SHRI MOHD. SHAFI QURESHI: My submission is that because a similar Question was replied to earlier by one of my colleagues, I want to consult him So, I am requesting the Chair to give me some time.

SHRI JYOTIRMOY BOSU: What is the part (b) of the Question? It says:

> "names of the newspapers in which such advertisements were published and amount of payment made to each such newspaper;"

He must have the information... (*Interruptions*)

MR. SPEAKER: This is the only thing over which it is being postponed There is nothing new that you have brought to my notice. But I am not going to treat this postponement as a precedent. It is for my satisfaction that I am doing it. I will not treat it as a precedent. I give you the chance; you may consult him.

**(व्यवधान)**

**श्री ज्योतिर्मय बसु** : समय मांगने का कारण क्या है ?

**अध्यक्ष महोदय** : उन को क्या पता था कि आप यह सवाल पूछेंगे ?

SHRI JYOTIRMOY BOSU: This Question was in their possession for 21 days. Still he has not come prepared.... (*Interruptions*)

**श्री मधु लिमये** : इन के पास जानकारी है लेकिन वे देना नही चाहते हैं ।

**श्री अटल बिहारी वाजपेयी** : यह सवाल कल पहले नम्बर पर आ जाना चाहिए ।

**अध्यक्ष महोदय** . यह मैं नही कह सकता । कल के सवाल तो छप चुके है ।

**श्री अटल बिहारी वाजपेयी** : यह कल पहले नम्बर पर आ जाना चाहिये और इसका प्रीसीडेंस खत्म नही होना चाहिये ।

**अध्यक्ष महोदय** : आप किस तरह की बातें करते हैं । यह तो कामनसेंस की बात है कि यह कल आएगा । यह कहने की जरूरत क्या है ? आज जो पोस्टपोन किया है, यह तो कल आना ही है ।

**श्री अटल बिहारी वाजपेयी** : कल के सवाल तो आज छप गये होगे । इस लिए आप को इसके लिए डाइरेक्शन देना होगा ।

**अध्यक्ष महोदय** . जब वह समय मांग रहे हैं, तो कल यह आएगा ।

**श्री अटल बिहारी वाजपेयी** : इन का क्या भरोसा है ।

**रेल मंत्री (श्री एल० एन० मिश्र )** : आप को अपना भरोसा है ?

**अध्यक्ष महोदय** : बरूआ जी, आप की सिक्रेट करने की चीज इन पर भी जा पड़ी है ।

**Vending Contractors at Chapra Station**

*510. SHRI RAMSHEKHAR PRASAD SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of vendors at Chapra Railway Station on North Eastern Railway alongwith the date of appointment of each vendor and the dates when the agreements with each of them are likely to expire;

(b) whether there is a directive of the Railways to invite tenders through advertisements after the expiry of the period of contract, if so, the date of issue of advertisement by the Railways and the main contents thereof;

(c) whether the contract of some of the contractors on North Eastern Railway expired on 23rd August, 1974 but it has not been advertised so far and if so, the reasons therefor; and

(d) the action proposed to be taken by the Railways in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). A statement is laid on the Table of the Sabha.

(c) The Vending contract held by M/s. Durga Prasad Ganesh Prasad at Chapra station has expired on 23-8-1974 for which applications have been invited on 12-8-174.

(d) Does not arise in view of the reply to part (c) of the Question.

*Statement*

(a) Catering and vending arrangements at Chapra railway station are managed by 8 contractors through 44 vendors. Agreements are executed with contractors and not with the ven-

dors employed by them. The details of the contractors working at Chapra railway station are as under:—

| | Name of contractor | Date from which working | Date when the present term expire. |
|---|---|---|---|
| 1. | M/s. Durga Prasad Dhrub Prasad. . . . . | 10-9-1960 | 30-9-1975 |
| 2. | Vendors Industrial Coop. Society . . . . . | 1-8-1960 | 31-7-1976 |
| 3. | Unemployed Graduates Canteen Coop. Society Ltd. . . | 11-6-1974 | 10-6-1975 |
| 4. | M/s. Jamuna Ram Surinder Ram . . . . . | 1-8-1960 | 31-7-1976 |
| 5. | Shri Shyam Lal Bhagat . . . . . | 1-8-1960 | 31-7-1977 |
| 6. | Shri Hardev Yadav . . . . . | 1-8-1960 | 31-3-1977 |
| 7. | Shri Wazir Hassan . . . . . | 1-8-1960 | 31-7-1974 |
| 8. | M/s. Durga Prasad Ganesh Prasad. . . . . | 27-2-1960 | 23-8-1974 |

(b) There is no directive by the Railways to invite tenders through advertisements after the expiry period of the contracts for catering and vending as the Railways are following the system of licensing as opposed to the system of tender for such contracts Instructions, however, exist to the effect that vacancies should be advertised either by putting up notices in conspicuous places and/or through notices in the Press according to the importance of the contract.

Such notices inviting applications are issued on a date well in advance of the date of expiry of the contract.

The main contents of the notice/advertisement indicate the station at which the vending/catering contract is offered and the items which would be permitted for sale under the contract The last date on which the applications should reach the concerned officials is also indicated therein.

**श्री रामेश्वर प्रसाद सिंह** : माननीय अध्यक्ष महोदय, इस प्रश्न का उत्तर दो भागों में है। पहले भाग के उत्तर में मंत्री महोदय ने एक स्टेटमेंट दिया है और दूसरे भाग के लिए मंत्री महोदय ने जवाब दिया है। इसलिए मैं दोनों विषयों पर प्रश्न पूछता।

पहले मैं यह पूछना चाहता हूं जो माननीय मंत्री जी ने उत्तर दिया है उस से संबन्धित

है, कि क्या सरकार या रेल मिनिस्ट्री ने कोई ऐसी सीलिंग लगाई है कि जो भी काट्रेक्टर इस किस्म के ठेके लेते है वह एक कितने ठेके ले सकता है और दूसरा यह कि क्या सरकार को जानकारी है कि इस खास काट्रक्टर के छपरा के अलावा, दरभगा, लहरी सराय और दूसरे अन्य स्टेशनो पर भी ठेके है और उस ने ठेके सब-लेट किये हुये है जोकि नियम के अनुरूप नही है ? इस के अलावा 12-8-74 का जो आपने दरख्वास्तें मगाई है, उन की आखरी तारीख कौन सी है ?

**श्री मुहम्मद शफ़ी कुरेशी** वेन्डर्स के जो काट्रक्ट दिये जाते है उसमे यह बात है कि जब मियाद खत्म हो जाती है, तो उसके बाद दो तरीके है। या तो लाइसेंस उसका रिन्यू कर दिया जाता है या एडवरटाइज कर के उसके साथ एग्रीमेंट किया जाता है और इसके लिए रूल्स बने हुये है कि किस काट्रेक्टर को कितना वहा पर ठेका मिलेगा और अगर एक ट्रोली मिलती है, तो उस के साथ कितने आदमी मिलेंगे। यह अलग अलग जगहों के लिये अलग अलग नियम है।

जहा तक कि काट्रेक्ट देने की बात है तो उसके लिये एक तारीख मुकर्रर कर दी जाती है और उसके बाद जितने लोग दरख्वास्ते देते है उन मे से जिस की दरख्वास्त सब से अच्छी पाई जायगी और जो स्टैन्डर्ड के मुताबिक काम करेगा, उस को ठेका दे दिया जाता है।

**श्रीरामशेखर साव सिंह** कौनसी आखरी तारीख है ?

**श्री मुमद शफ़ी कुरेशी** उसका जवाब तो मैंने द दिया कि 12-8-1974 को दरख्वास्त मंगाए गये हैं और वे दरख्वास्ते 15, 20 दिन मे आ जाएंगी।

**श्री रामशेखर प्रसाद सिंह** : इस स्टेटमेंट के बारे मे मैं एक प्रश्न पूछना चाहता हूं। इस मे आप से छपरा रेलवे स्टेशन पर काम करने वाले आठ काट्रेक्टर्स के नाम दिये हैं। इसमे आप ने जितने व्यक्ति है, जितने इन्डिविजुअल लोग है उन को तीन तीन वर्ष के लिए ठे के दिये है और तीन वर्ष के लिए उनसे एग्रीमेंट हुआ है लेकिन एक अनएम्प्लायड ग्रेजुएट्स केन्टीन कोआपरेटिव सोसाइटी है, उस को एक वर्ष के लिए ही ठेका दिया है जबकि सरकार की नीति यह है कि अनएम्पलायड पढ़े-लिखे लोगो को प्रोत्साहन दिया जाए। इस कोआपरेटिव सोसाइटी को सरकार ने केवल एक वर्ष के लिए ही कास्ट्रेक्ट दिया है।

ऐसी स्थिति मे क्या यह इन सस्थाओ के प्रति सरकारी स्टेप-मदरली ट्रीटमेंट का परिचायक नही है ?

क्या रेल मत्रालय ने कोई ऐसा सर्कुलर भी निकाला है जिस के आधार पर जिन व्यक्तियो के पास किसी एक अवधि तक कोई काट्रेक्ट है उस अवधि के पूरा हो जाने के बाद यह अनिवार्य होगा कि उनका ठेका एड-वर्टाइज कर दिया जाए। यदि हा तो यह सर्क्यूलर किस तारीख का इशु हुआ था और उस सर्कुलर का मशा क्या है ? क्या सरकार को इस बात की जानकारी है कि उस सर्क्यूलर के इशु होने के बाद बहुत से स्टेशज पर उस का अनुपालन नही हुआ है और मनमाने ढग से कही पर रिन्यूल हो रहे है और कही पर ही हो रहे है ?

**श्री मुहम्मद शफ़ी कुरेशी** जिन लोगो के पास वंडिंग काट्रेक्ट है उन से भी छ बरस के बाद दुबारा दरख्वास्त तलब किए जाए, यह तय किया है। लेकिन एक बात का खयाल रखा गया है कि शैड्यूलड कास्ट और शैड्यूलड ट्राइब्ज के लोगो का आटोमैटिक रिन्यल हो जायगा बशर्ते कि उनका

काम सैटिसफक्ट्री हो । उसके बाद को-ओप्रेटिव सोसाइटीज को इसमे तरजीह दी जाएंगी । वैंडर्ज भी चाहे तो अपनी कोआप्रेटिव सोसाइटीज बना सकते है। ठेकेदारो से इस काम को ले कर इन कोओप्रेटिव सोसाइटीज को दिया जाए, यह नियम है और इसका पालन किया जा रहा है ।

**श्री अटल बिहारी बाजपेयी** : छ साल बाद हर एक ठेकेदार का काट्रेक्ट रिन्यू किया जाए ऐसा फैसला करने की जरूरत क्यो पडी ? क्या यह सच नही है कि अभी जो काट्रेक्ट की शर्तें है उनके अन्तर्गत अगर किसी का काम खराब है तो उसका ठेका बीच मे ही समाप्त किया जा सकता है ? यदि किया जा सकता है तो सब वैंडर्ज का कत्लेआम क्यो किया जा रहा है ? क्या यह सच है कि जिन काट्रेक्टर्ज का काम ठीक है, जिन के खिलाफ कोई शिकायत नही है और जो 1947 के पहले से काम कर रहे है जिन के पास छोटी छोटी दूकाने है अब उनको भी आप हटाना चाहते है और इसका फैसला सरकार ने कर लिया है और जिन्हे सरकार अपना कृपा पात्र बनाना चाहती है उसको नए नए ठेके देने का निर्णय किया गया है ?

**रेल मंत्री (श्री एल एन मिश्र)** : यह ठीक नही है कि अपने आदमियो को हम रखना चाहते है । समद मे और खास कर राज्य सभा मे बार बार यह शिकायत की गई है कि खाने पीने का जो सामान है, पूरी है, मिठाई है, जो लोगो को दी जाती है उसकी क्वालिटी खराब रहती है । एक एक आदमी 17–18–20 साल से बैठा हुआ है और उसकी मोनोपली हो गई है । उसके मरने के बाद उसका बेटा और उस के बाद उसका पोता चले आ रहे है। अब यह निर्णय किया गया है कि छ. बरस तक जिन लोगो का काट्रेक्ट है वे बिसक्वालिफाईड नही होंगे । छ बरस तक काट्रेक्ट होना चाहिए । इस अवधि के बाद वे भी दरख्वास्ते देगे जिन के पास अभी काट्रेक्ट है । वे बिसक्वालिफाइड नही है । अगर उनकी क्षमता होगी, कैपिसेटी होगी, शर्तों को वे सैटिसफाई करेंगे तो उनको मिल जायगा । असली बात यह है कि यह तय किया है कि जो पढे लिखे नौजवान है अगर वे लेना चाहेगें तो उनको सब से पहले प्रेफेन्स मिलेगा । पहले एजुकेटिड अनएम्पलाईड की कोआप्रटिव सोसाइटीज की बात थी । पिछले साल उसका रिसपास बहुत कम आया इसलिए यह तय किया गया है कि इडिविजुअल एजुकेटिड अनएम्प्लायड अगर लेना चाहते है तो उनकी मदद हम को करनी चाहिए । इसमे किताबें बेचने का ठेका भी है जो इस वक्त ए एच — व्हीलर के पास है । ऐसा ठेका इन लोगो को भी दिया जा रहा है । नीति मे परिवर्तन इसलिए हुआ है चूंकि पढे लिखे लोगो को काम देना है । जिनके खिलाफ कोई शिकायत नही है वे डिसक्वालिफाइड नही है । ऐसी बात नही है कि उनको काम नही मिलेगा । लेकिन जो पुश्त दर पुश्त मोनोपोली बनाकर इसको रखना चाहते है वह ठीक नही है ।

**श्री अटल बिहारी बाजपेयी** : जिन लोगो के खिलाफ शिकायतें नही हैं, जिन का काम अच्छा है उनको फिर से काट्रेक्ट देने से इसलिए इन्कार किया जा रहा है कि सरकार अपने लोगो को लाना चाहती है, क्या यह सही नही है ?

**श्री एल० एन० मिश्र** छ बरस तक जिन के पास ठेका है वे बिसक्वालिफाइड नही होगे । उनको हटा दिया जाए यह बात नही है । किसी के खिलाफ शिकायतें नही है, फूड ठीक बेचता है, मीडियम आफ प्रेपरेशन ठीक है तथा इस तरह की चार पाच शर्तें जो है उनको वह पूरी करता है तो उसको दिया जा सकता है, उसको हटाने की बात नही

हैं। छः बरस की एक अवधि रख दी गई हैं। अब राम शेखर प्रसाद सिंह जी ने कहा कि किसी को एक बरस के लिए दिया गया, वह बात भी गलत है। उसको हम देखेंगे। उसको छः बरस के लिए मिलना ही चाहिए।

**श्री नवल किशोर शर्मा :** आपने कहा है कि छः बरस के बाद ठेकेदार का जो लाइसेंस वह रिन्यू किया जायगा। इस शर्त का मतलब यह है कि छः बरस के बाद जब रिन्यूल होगा तो उस में उसके छ बरस के एक्सपीरियेंस को ध्यान में रखा जायगा और अगर उसके खिलाफ कोई शिकायतें हुई जो सही नही थी या कोई और वजह नही हुई तो उसका काट्रेक्ट खत्म नही किया जायगा। नीति मे वह कहते है कि इसलिए परिवर्तन हुआ है कि बेरोजगार लोगो को रोजगार मिले। मै इसका हिमायती हू। लेकिन यह बात भी बडी गलत होगी कि जो लोग रोजगार कर रहे है दस पद्रह बरस से बारोजगार है उनको सडको पर डाल दिया जायगा। क्या छ बरस वालो को प्रेफेंस दिया जायगा ?

**श्री एल० एन० मिश्र :** प्रेफेंस देने की बात नही है। यह कहा है कि छ बरस के बाद वे डिसक्वालिफाइड नही होगे। बारह बरस तक भी रह सकता है। इसमें कोई एतराज की बात नही है।

SHRI DINESH CHANDRA GOSWAMI: I do not agree with the allegations made by Shri Vajpayee. But the fact remains that this provision has given a very unlimited discretion to the authorities to make a selection because you have not put any objective criteria to find out on what grounds the authorities can treat it as a disqualification. I want to know this. Suppose some persons make an allegation in writing which is not substantiated, will it also be taken as a ground for disqualification? Otherwise, what are the criteria that you have laid down for a person to be disqualified? Also before a person is disqualified, are you giving him any opportunity to show cause why he should not be disqualified?

SHRI L. N. MISHRA: If it is a simple complaint, unless and until it is substantiated, no action can be taken. As I have said earlier, this six year clause is not a disqualifying clause. His case can be reopened only when he has completed six years. Then, there is no question of giving any wide powesrs to the authorities. Unless there is any substantiated allegation against any vendor, no step will be taken against him.

SHRI JYOTIRMOY BOSU: Will the hon. Minister kindly tell us: (a) whether in this new method that you are proposing to adopt, you have accommodated the Scheduled Castes, the Scheduled Tribes, Muslims and other minorities? If not, the reasons thereof.

(b) Is it also a fact that it has come to the notice of the Railway authorities and the hon. Minister that for each renewal, an amount of Rs. 75,000 is being asked for?.. (*Interruptions*)

SHRI L. N. MISHRA: I know for Shri Jyotirmoy Bosu money has no value. For a vendor getting about Rs. 6000 a year, to give Rs. 75,000 for a vending contract.... (*Interruptions*)

SHRI JYOTIRMOY BOSU: There are 250 vendors. You are wanting Rs. 75,000 for each renewal.

SHRI L. N. MISHRA: This is very bad. I refute it. You cannot say all that you want to say. We had enough of it....

(*Interruptions*)

**अध्यक्ष महोदय** : आराम से तो करते ही ही नहीं हैं। रात को कैसे सोते होंगे मेरी समझ में नही आया। सुबह आते ही फिर शुरू हो जाते है। हाउस को कभी तो अमन चैन से चलने दें। रोज का ही हिसाब बना लिया है।

**श्री ज्योतिर्मय बसु** : सच बात बोलने से बडी तकलीफ होती है।

I am waiting for the reply.

MR. SPEAKER: Only on one condition that you will not interrupt.

SHRI L. N. MISHRA: I forgot the question. What was the question?

SHRI JYOTIRMOY BOSU: My question is whether in this new policy change he is making adequate provision for Scheduled Castes, Scheduled Tribes, Muslims and other minorities. If so, the details thereof. If not, the reasons thereof.

(2) You know very well. I do not need to repeat it.

SHRI L. N. MISHRA: It is a fact that we are giving the first preference to the educated unemployed youth. He may belong to any community or any sect Second preference is given to Scheduled Castes, Scheduled Tribes, Muslims and other minorities.

SHRI K. LAKKAPPA: Shri Jyotirmoy Bosu is making a demonstration. This is very bad. He is making a gesture towards the Minister. It is very bad.

**श्री मुहम्मद जमीलूर्रहमान** : मैं मंत्री महोदय से यह बात जानना चाहता हू कि एन ई रेलवे में खास कर छपरा स्टेशन में कितनी दरख्वास्तें आई कांट्रेक्ट की, उस मे अन-एम्प्लायड ग्रेजुएटस की कितनी थी और कितनों को दिया गया, कितनी माइनारिटीज की दरख्वास्तें थी और उस में से कितनों को दिया गया ?

**श्री मुहम्मद शफ़ी कुरेशी** : छपरा में 8 कांट्रेक्ट्स थे। जिन्होंने नई दरख्वास्तें दी है उन मे मुसलमान कितने हैं और दूसरे तबके के कितने है वह इतिला इस समय मेरे पास नही है। वह में इकट्ठी कर के माननीय सदस्य को दे दूगा।

**अध्यक्ष महोदय** यह जो आप का सवाल है इस को मैं ने बहुत देखा इस मे तो यह पैदा नही होता है। आप ने अदादो शुमार पूछा है वह कहते है कि हम बता देंगे। कम्युनिटी-वाइज नम्बर इस सवाल मे नही है।

**श्री मुहम्मद जमालूर्रहमान** . जो स्टेटमेंट दिया है उन्होंने, उस मे मेशम है इसलिए मैं ने पूछा है। कम्यूनिटी-वाइज मैं नही पूछ रहा हू। मैं तो यह पूछ रहा हू कि अन-एम्प्लायड ग्रेजुएट्स की कितनी दरख्वास्तें आइ और उन से कितनो को दिया गया। उसी सिलसिले में जानना चाहता हू कि माइन-रिटीज की कितनी दरख्वास्ते आई है और कितनो को दिया गया।

**श्री मुहम्मद शफ़ी कुरेशी** . यह इत्तिला इस समय मेरे पास नही है। मैं इकट्ठी करके दे दूगा।

**श्री हुकम चन्द कछवाय** : मैं आप के माध्यम से मंत्री महोदय से जानना चाहता कि क्या यह बात सही है कि जो लाइसेंस रिन्यू किए जाते है रिन्यू करने वाले जो अफसर हैं बिना लिए वे करते ही नही हैं ? मैं प्रमाण दे सकता हू। बम्बई के अंदर मध्य रेलवे और वैस्टर्न रेलवे मे तीन हजार रुपये एक लाइसेंस के रिन्यू करने का चार्ज है। मैं आप को अनेकों प्रमाण दे सकता हूं। मैं

जानना चाहता हूं कि क्या जब से आप ने 6 साल का प्रणाली कार्य प्रारम्भ किया हैं तब से कुछ बड़े लोग जो यह काम करते हैं बम्बई में दीप चन्द नानक चन्द और अग्रवाल ये तीन बड़े धनाढ्य लोग है, करोड़ो की सम्पत्ति उन के पास है आप अच्छी तरह उन को जानते है वे आप से आ कर मिले है कि हमें दो महीने का स्टे आर्डर दिया जाये और कार्य करने के लिए मेरा ही कंटीन रखा जाये इस की कीमत आप को 60 लाख रुपये दी है ? उस के माध्यम ए पी शर्मा है। मैं इस का प्रमाण दे सकता हूं आप को ।

**अध्यक्ष महोदय** : जब ऐसी बात आप करते हैं तो कुछ परमात्मा से डरा करे ।

**श्री हुकम चन्दकछवाय** : उस से ही डर कर तो वे बोलते है। हमे जब पता चलता है तो भगवान से डर कर ही ये बातें यहां कहते है ।

इसलिए मैं यह जानना चाहता हू कि क्या यह बात सही है कि जिन लोगों को वे ठेके मिलते है वे स्वयं नहीं चलाते है, दूसरों को देते है उन से सौदे करते है और कहते है कि ये हमारे नौकर है। वे उस को चलाते है और उन से हजारों रुपये लेते है। क्या आप इन सब बातो की जाच करायेंगे ? इस प्रकार की जानकारी आप को है या नही ?

**श्री एल० एन० मिश्र** : अध्यक्ष महोदय : क्या इसका उत्तर दू ? जहां तक तीन व्यक्तियो का नाम लिया ये व्यक्ति हैं या कम्पनिया है मुझे नही मालूम । मेरी कभी मुलाकात नही हुई न कभी मैं ने उन का चेहरा देखा नाम भी पहली बार सुन रहा हूं। जहां तक छोटे-छोटे लोगों की बात है यह बात कही गई है हमारे भाई शफी कुरेशी जी ने कही है हम भी उन्हीं के साथ हैं जैसा पहले कहा गया मैं उस को दोहराना नहीं चाहता हूं। उस ढंग से हम चलाना चाहते हैं और अभी तक जो कुछ हुआ है बहुत आगे हम लोग नहीं बढ़ सके हैं इस कार्यक्रम में जिन अफसरों की बात उन्होंने कही हम कहते हैं कि उन अफसरों का नाम दीजिए और भी कठिन से कठिन और कड़ी से कड़ी स ा हो सकती है वह हम उन को देंगे ।

**श्री हुकम चन्द कछवाय** : ये अफसर कौन है आप जानते हैं । बम्बई में कौन इस काम को करता है आप को पता है । आप का महकमा है आप के रेलवे के आदमी हैं।

**Disparity in wages in Indian Railways**

*511. SHRI B. V. NAIK:
Will the Minister of RAILWAYS be pleased to state:

(a) whether disparity in wages of the various categories of employees in the Indian Railways has been reduced in the last twenty years; and

(b) if so, by how much?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) The disparity ratio between the emoluments of the lowest and the highest paid categories of railway employees has decreased from 54.5 in the year 1947-48 to 14.04 as on date.

SHRI B. V. NAIK: This disparity is shown as 54.5 and 14.04, as it existed twenty years back. May I know what this is made up of? Can it be quantified? Can you give us the maximum and the minimum and whether the maximum and minimum includes D.A. etc. I asked a question about the wages. I want to know whether this information also quantifies or gives the value of any other perquisites. Can you give us the figures in this regard?

SHRI MOHD. SHAFI QURESHI: The Third Pay Commission examined the trend in respect of the calculation. In 1947-48 the minimum pay was Rs. 55 that is to say, Rs. 30 pay and Rs. 25 D.A. The Second Pay Commission was set up in 1959-60 and they recommended the minimum pay of Rs. 70 and D.A. of Rs. 10. The trend today is that minimum wage should be Rs. 196 and Rs. 47 is to be D.A. That makes a total of Rs. 243. This is the minimum lowest rate. On maximum side it has gone up from Rs. 3,000 in 1947-48 to Rs. 3,500 in 1973. On Rs. 3,500 people are not permitted D.A. It will be seen that disparity ratio which decreased from 54.5 after the report of the First Pay Commission to 37.5 after the Second Pay Commission's report has come down to 14.04 as on date. This includes interim relief and dearness allowance which were granted.

SHRI B. V. NAIK: It is gratifying to note that disparities have come down. Way back in 1952 Mr. J. P. Narayan wanted a ratio of one to ten, that the ratio of disparities should come down to this level. So, may I know at least as far as Indian Railways are concerned, when it is hoped to reach this ratio of 1 : 10?

SHRI MOHD. SHAFI QURESHI: I cannot say at this stage. It is a gradual process. That is being looked into.

SHRI S. M. BANERJEE: One of the demands of the railway employees mooted through the National Coordination Committee for Railwaymen's struggle was the job evaluation and appointment of a classification Tribunal so that a person can be given proper pay and cadre. After negotiated settlement, I would like to know whether this demand has been conceded in the case of railway employees. In the case of defence employees, the Defence Ministry has already appointed a classification tribunal with a High Court judge as Chairman. If not, whether the Railway Ministry is likely to appoint such a Commission or a Tribunal. There was such a Committee appointed previously after the First Pay Commission. I would like to have a specific answer to this from him.

SHRI MOHD. SHAFI QURESHI: These demands were raised in the meeting of the Federation. We have accepted in principle the demand for the job evaluation in Indian Railways. We are in touch with the Ministry of Defence as to how they are proceeding in this matter. After getting their replies, we shall proceed with that.

SHRI K. LAKKAPPA: I would like to know from the hon. Minister whether any further attempt has been made by the Railways with regard to bringing down the disparity in wages in various sectors of the railways in view of the large scale discontentment among the various employees in railways?

What attempt has been made in this regard in your ministry?

SHRI MOHD. SHAFI QURESHI: I have already replied to this. Perhaps, the hon Member has not understood the question. This is with regard to the ratio between the highest and the lowest-paid employees in the Indian Railways. The emoluments of the railway employees and their grades are being looked into. The hon. Member also knows that to-day the wage bill comes to about 70 per cent of the total expenditure in the railways. That itself shows that the staff are being looked after very well. If he wants me to give the details of it, I can give that.

SHRI R. S. PANDEY: The hon. Minister just now said that the expenditure has been increased to the tune of about 25 per cent or whatever be the percentage of it. May I know from him as to what is then left with him for the development of railways?

MR. SPEAKER: Mr. Pandey, you will please ask a relevant question.

SHRI R. S. PANDEY: I want to know the percentage of expenditure

to the income they earn. I want to know the percentage of income that is left out for development after meeting the increased expenditure in the matter of wages?

MR. SPEAKER: This question is not connected with the question that is put down. I am sorry I cannot allow it. You are completely lost in the question.

**Supply of Rakes of Slack Coal to Uttar Pradesh**

*512. SHRI B. R. SHUKLA: Will the Minister of RAILWAYS be pleased to state:

(a) what has been the average monthly supply of rakes of slack coal to Uttar Pradesh during the current year since January, 1974; and

(b) whether the demand of rakes is far in excess of the actual supply?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI) (a) Monthly average supply of slack coal rakes for brick burning to Uttar Pradesh from January 1974 to July 1974 was 12½ rakes per month and for August 1974 10 rakes upto 22-8-1974.

(b) Yes, Sir.

SHRI B. R. SHUKLA: May I know from the hon. Minister what is the estimated monthly demand of coal rakes in U.P.? Whether the Indian Railway Board has determined any monthly quota? If not, why has the supply been far below the demand? May we know the reasons?

SHRI MOHD. SHAFI QURESHI: The demand of the movement of slack coal rakes for brick burning was 125 a month. But, after meeting the demand of the Civil Supplies Commissioner, it was pointed out that we must have a realistic allotment of rakes. So, this was brought down to 60. I would like to make it clear that slack coal is used for two purposes—it is used for the power station and industry and also for brick burning. Lowest quality coal is used for brick burning. So far as the demands of power stations are concerned, those are being met fully, but we have not been able to meet their full demand for brick burning coal so far as UP is concerned. The distress has been distributed to all the States equitably as far as possible.

SHRI B. R. SHUKLA: May I know why the Railway Board determined the quota, even according to which the present supply is not adequate?

SHRI MOHD. SHAFI QURESHI: These quotas were not fixed by the Railway Board or the Railway Ministry. They were fixed by the Directors of Industries of the various States and the Civil Supplies Commissioners and because we were the transporters, naturally the railways were also brought in, but the quantum of coal consumed by each sector was determined by the State Governments in consultation with the concerned authorities.

**श्री नरसिंह नारायण पांडे :** अभी मंत्री जी ने उत्तर में बताया उत्तर प्रदेश की मिनिमम रिक्वायरमेंट 60 रैक्स एसेस की गई है जब कि यू० पी० गवर्नमेंट ने अपनी रिक्वायरमेंट 120 रैक्स बतलाई थी। आप ने 40 रैक्स बतलाया है लेकिन इस को आप कब पूरा करने जा रहे है ?

**श्री मुहम्मद शफ़ी कुरेशी :** यू० पी० गवर्नमेंट के जो रेजिडेन्ट कमीश्नर यहां पर हैं मैंने उस के साथ मीटिंग की थी और यह कहा कि दुर्गापुर वाशरीज की मिडलिंग्ज अगर वे ले लें तो 60 रैक्स तो नहीं, लेकिन 30 रैक्स उन को मिल सकती है और इससे वे सन्तुष्ट थे ।

श्री राम सूरत प्रसाद : उत्तर प्रदेश को ब्रिक बर्निंग के लिये बहुत कम कोयला मिला जिस की वजह से ईंटों के बहुत कम भट्ठे चले और उन में जो लाखों मजदूर लगे हुये थे वे बेकार हो गये। मैं जानना चाहता हूं कि मंत्रालय इस के लिये क्या व्यवस्था कर रहा है ताकि काफी कोयला मिले और लोग बेकार न हों ?

श्री मुहम्मद शफ़ी कुरेशी : मैंने अभी बताया है कि दुर्गापुर वाशरीज में काफी मिडलिंग्ज है जिसे देने को तैयार है। वहां से 30 रैक्स तक का इन्तजाम हो सकता है ।

**Loss suffered by Railways in Assam due to Floods**

*514. SHRI TARUN GOGOI: Will the Minister of RAILWAYS be pleased to state

(a) whether Railways suffered a great loss in Assam due to the recent floods;

(b) if so, the extent of the loss suffered;

(c) what steps were taken by Government to repair the Railway lines;

(d) when the work is likely to be completed; and

(e) whether, at present, normal railway services are available in the State?

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): (a) Yes, Sir.

(b) Rs. 19 lakhs approximately.

(c) Expeditious steps have been taken for repair and restroration of Railway lines.

(d) Repairs have already been completed except in the section between Silapatbar and Murkong Salek stations which is also expected to be completed by 3-9-1974.

(e) Normal railway services are available in Assam State at present, except on Silapathar-Murkong Salek section where the work of restoration is in progress.

SHRI TARUN GOGOI: In view of the recurrence of floods almost every year and this year we have had successive floods four times causing extensive demage to the railway line as a result of which the communication line has been disrupted and Assam has been completely cut off from the rest of the country or rather the eastern part of the country has been cut off from the rest of the country, may I know whether Government are considering any proposal for raising or strengthening the existing railway track so as to enable it to withstand the onslaught of floods? Secondly, in view of the great transport bottleneck as a result of which that part of the country is undergoing great hardship and most of the people have to pay higher prices for almost all the essential goods since most of the essential goods have to be brought from other parts of the country, may I know whether Government consider that there should also be an alternative railway line so that in case the existing line is affected, the communication can be maintained? Thirdly, in view of the persistent demand for the extension of the broad gauge line which has been sanctioned up to Gauhati, to Bongaigaon, may I know whether Government are going to give topmost priority to it and when it is likely to be completed?

SHRI L. N. MISHRA: So far as Gauhati to Bongaigaon is concerned, work is going to be taken up very soon. It was announced by the Prime Minister that it would be taken up most likely this year or early next financial year.

About an alternative route, I do not think it will be possible for us in the present financial position to make that commitment. The only thing we are doing at the moment is that we try to expand the size of the bridges and

culverts as considered necessary for better discharge of flood waters.

SHRI NOORUL HUDA: Is the hon. Minister aware of the fact that due to heavy rains in the north-eastern region, there was a serious dislocation in train services between Lumding and Badarpur to the extent of two weeks? What losses were suffered by the Railway due to this dislocation? Also what adequate steps have the Minister or the Railway authorities been taking so that due to landslides such dislocations do not occur annually in Assam?

SHRI L. N. MISHRA: In this area due to landslides not only railways but road services also suffer. It will be very difficult to control landslides in the hilly regions especially in those areas where there is heavy rain. But whatever preventive measures could be taken are taken; our engineers and experts are there. We are trying to improve the present state of affairs there.

SHRI NOORUL HUDA: What were the losses suffered? He has not replied to that. The Minister is evading a reply to my specific question.

MR. SPEAKER: The Question hour is over.

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## WRITTEN ANSWERS TO QUESTIONS

### House Rent for Quarters in Ram Ganga Bridge Railway Station

*513. SHRI DINEN BHATTACHARYYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether house rent with electricity charges is being collected from Railway personnel working in Ram Ganga Bridge Railway Station (Moradabad Division, Northern Railway) for the quarters which are being utilised to keep Railway properties;

(b) if so, the reason for utilising the houses allotted to Railway personnel as store rooms to keep Railway goods; and

(c) what steps have been taken by Government to refund the house rent so collected?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). Only house rent is being recovered for the quarters allotted for residential purposes. There being no electricity at the Ram Ganga Bridge railway station, recovery of charges for the same does not arise. It is understood that the present Station Master is keeping kerosene oil and other stores in his quarter without permission of his authorities instead of in the station building, as his predecessors used to do.

(c) Does not arise.

### Steps to curb misuse of oil products

*515. SHRI JYOTIRMOY BOSU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether any positive steps have been taken by Government to curb misuse of oil products and at the same time to produce maximum of essential oil products from a minimal quantum of crude oil;

(b) if so, the broad outlines thereof;

(c) whether according to some experts, about 4.3 million tonnes heavy stock, if diverted from its use as furnace fuel and reprocessed, would yield about 3.2 million tonnes of Kerosene and diesel;

(d) whether these experts have expressed the view, that a diversion of 4.3 million tons of heavy stock from furnace fuel to hydrocracking would reduce oil imports by as much as 7.6 million tons resulting in a saving in import bill by about Rs. 456 crores; and

(e) if so, Government's reaction thereto?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) and (b). The steps taken to curb the misuse of oil products include equalisation of the selling price of high speed diesel oil and kerosene, and increase in the selling prices of low grade lubricants and light solvents. The product pattern of various refineries is reviewed every month in the light of the supply and demand position of various products and adjustments made to the extent they are feasible.

(c) to (e). No such claim has been received in the Ministry of Petroleum and Chemicals. The yield of heavy stock from any crude oil would depend on the characteristics of the crude oil and varies widely from crude to crude. For example, the Ankleshwar crude oil will yield only about 20 per cent of heavy stock, whereas the Naharkatiya crude would yield as much as about 40 per cent, the North Gujarat crudes yield even higher to the extent of 55 to 60 per cent. Assuming an average yield of 40 per cent (after meeting refinery fuel) from an average Middle East crude, such as, for example the Aghajari crude, the yield of heavy stock from 7.6 million tonnes of Aghajari crude would be 3.04 million tonnes of heavy stock (atmospheric residue) only and not 4.3 million tonnes.

The yield of petrol, kerosene and diesel oil from heavy stock through the process of hydro-cracking would again depend on the characteristics of the heavy stock, the design of the hydro-cracking unit and the conditions of operation. For distillate type hydro-cracking process, a yield of about 48 per cent of light and middle distillates from the heavy stock from Aghajari crude oil can be expected. Therefore, if 4.3 million tonnes of heavy stock from Aghajari crude is processed through hydro-cracking, the yield of petrol, kerosene and diesel oil can be about 2.048 million tonnes only and not 3.2 million tonnes.

The reduction in crude oil import and consequential saving in foreign exchange is not directly proportional to the yield of petrol, kerosene and diesel by reprocessing of heavy stock through hydro-cracking for the following reasons.—

(1) Two cases are considered here. In the first case, the processing of 7.6 million tonnes of Aghajari crude without hydrocracking or other secondary processing facilities would yield 56 per cent i.e. 4.256 million tonnes of distillate (light and midlle together) and 40 per cent i e. 3.04 million tonnes of heavy ends, after allowing for refinery fuel and loss of 4 per cent.

(2) In the second case by employing hydro-cracking process the same quantity of 4.256 million tonnes of light and middle distillates can be obtained from 5.66 million tonnes of crude oil. In this case after meeting the additional refinery fuel and loss for hydrocracking and related processing steps, the balance heavy ends would amount to 0.951 million tonnes.

It will thus follow that while in the first case, the processing of 7.6 million tonnes of crude would yield 7.296 million tonnes of saleable products, in the second case 5.66 million tonnes of crude will yield 5.207 million tonnes of products. While the reduction in crude import in the second case would be 1.94 million tonnes, there will be loss in saleable product (entirely of heavy ends—fuel oil) of 2.09 million tonnes. It is obvious therefore, that attempts to reduce crude imports would lead to reduction in availability of saleable products (fuel oil). Only if we can manage to replace the fuel oil by coal or other indigenous sources of energy, would reduction of crule oil imports by hydro-cracking process lead to saving in foreign exchange.

**Re-instatement of Casual Labour and Resumption of Talks**

*516. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) the latest figures about the railway workers against whom notices of suspension and termination of services have been withdrawn and who have been thus reinstated; steps taken for re-instatement of casual labour and about condoning break in service of workers who joined the strike;

(b) steps taken for resumption of talks with railway unions in this regard;

(c) number of court cases instituted against railway workers; and

(d) number of disciplinary cases related to the last Railway strike?

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): (a) to (d). About 8,540 suspended employees have so far been put back to duty and about 7,750 employees whose services were terminated have so far been reinstated.

As regards casual labour, they are engaged on works of seasonal nature or on project works, and out of 18,500 casual labour discharged, depending upon the needs, about 10,000 have already been taken back. The question of taking back the rest will arise according to the needs of each Railway.

As regards condoning break in service of those railway employees who participated in the strike, individual cases are being reviewed and already break in service has been condoned for about 2 lakh railway employees. This is a continuing process.

The two recognised Federations, viz. the N.F.I.R. and the A.I.R.F., have got negotiating facilities with the Railway Administration and any cases they bring up are duly considered.

The number of cases pending in courts is not readily available.

Out of 5.91 lakh railway employees who participated in the May 1974 strike, disciplinary action has been taken in about 10,500 cases.

**Simultaneous Election to Legislative Assembly and Lok Sabha**

*517. SHRI D. B. CHANDRA GOWDA:
SHRI K. MALLANNA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether the Chief Minister of Madhya Pradesh has suggested to the Central Government to hold election to Legislative Assemblies alongwith the elections to Lok Sabha to reduce expenditure and to make it convenient to political parties also to have a common campaign for both elections; and

(b) if so, the reaction of Government thereto?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) No such suggestion has been received.

(b) Does not arise.

**Resumption of Duty by Railwaymen before withdrawal of Strike**

*518. SHRI PRIYA RANJAN DAS MUNSI: Will the Minister of RAILWAYS be pleased to state:

(a) the total number of Railwaymen who resumed duty before the strike was withdrawn;

(b) total number of arrests made during the strike in various Railways, Division-wise;

(c) total number of employees discharged after the strike; and

(d) total number of persons freshly appointed during and after the strike in Railways?

THE MINISTER OF RAILWAYS (SHRI L. N. MISHRA): (a) About 3.5 lakhs.

(b) Zonal Railways and Division-wise figures given in the statement laid on the Table of the House. [*Placed in Library. See* No. LT-8301/74].

(c) About 550.

(d) About 9500 were appointed during and after the strike on the Railways. Of these about 2900 are against the normal vacancies that had arisen and the rest are those who were recruited on temporary basis during the strike to meet the emergency situation.

**Detention of Railway Employee of Health Unit, Delhi-Shahdara (Northern Railway)**

*519. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether an employee of Northern Railway Health Unit, Delhi-Shahdara who was detained illegally and searched while on duty on 10th July, 1974 was later released honourably by the Sub-Divisional Magistrate, Delhi-Shahdara;

(b) whether the said incident has created fear amongst the employees working in the said Health Unit;

(c) whether the Assistant Medical Officer Incharge, Northern Railway Health Unit, Delhi-Shahdara, has taken up the matter with the high officials; and

(d) the action taken by N. Rly. administration for the security of the employees of the said Health Unit when they are on duty?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes, Sir.

(b) Yes, Sir.

(c) Yes, Sir.

(d) Railway Protection Force staff was deputed in the Health Unit at Delhi-Shahdara for some time to ensure security of staff working there and to restore confidence amongst them.

**Signing of Bonds by Railway Employees**

*520. SHRI C. K. JAFFER SHARIEF: Will the Minister of RAILWAYS be pleased to state:

(a) whether there is any proposal under the consideration of Government to make its incumbent on the new recruits to Railway service to sign bonds that they would not go on strike; and

(b) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No, Sir.

(b) Does not arise.

**Cut in Refinery Operations of H.P.C.**

*521. SHRI M. S. PURTY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Hindustan Petroleum Corporation is going to face a cut in the refinery operation from this month;

(b) if so, the reasons thereof; and

(c) to what extent will it affect the expansion programmes of various refineries under it?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) and (b). In view of the steep increase in the price of imported crude oil and limited availability of foreign exchange, the crude imports for the current year are likely to be lower than originally envisaged. The Hindustan Petroleum Corporation refinery has, however, operated above its normal operating level of 2.75 million tonnes per annum (average of 2.3 lakh tonnes per month) during the first half of the year 1974. The allocation of crude to the H.P.C. from August onwards will enable the

refinery operations to be maintained at its normal operating level. The level of operation of various refineries in view of restricted availability of imported crude oil is under continuous examination of the Government keeping in view the product pattern in different refineries and the demand for products in different regions.

(c) There is no proposal presently under consideration of Government for expansion of the HPC's oil refinery at Bombay. The feasibility of expanding the Lube Refinery is being examined.

**Reduction in prices of Naphtha**

*522. SHRI ARVIND M. PATEL:
SHRI VEKARIA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Naphtha price has been recently reduced; and

(b) if so, when was it reduced and by how much?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) and (b). The price of naphtha used for purposes other than fertilizer production, which was increased to Rs. 2320.06 per tonne ex-Bombay, with effect from 2nd March, 1974 was reduced to Rs. 1000 per tonne with effect from 26th March, 1974.

**Taxes on Drugs**

*523. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what is the total tax by different Government agencies on drugs by way of Central Sales Tax, Sales Tax, Custom Duty, Excise Duty and Octroi in relation to the price of a particular drug;

(b) whether in some cases the taxes on drugs, direct and indirect, amount to about 50 per cent of the prices of drugs;

(c) whether his Ministry has at any time represented against these heavy taxes on drugs; and

(d) whether Government propose to waive all taxes on intermediates as they are essential for life saving?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). Customs duty on imported drugs ranges from 25 per cent on life saving drugs to 75 per cent on other drugs. Even so the prices of imported drugs are generally less than the prices fixed for drugs produced indigenously.

The incidence of excise duty, Central sales tax, State sales tax and octroi on various kinds of drugs and in different States usually ranges from 12 per cent to 20 per cent.

(c) and (d). With effect from 8-2-74 Government have appointed a Committee on Drugs and Pharmaceuticals Industry one of whose terms of reference is as follows:—

> "To examine the measures taken so far to reduce the prices of drugs for the consumer, and to recommend such further measures as may be necessary to rationalise the prices of basic drugs and formulations."

**Loss Incurred by Oil Firms due to Pattern of Consumption of Petroleum Products**

*524. SHRI RAGHUNANDAN LAL BHATIA:
SHRI P. GANGADEB:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the pattern of consumption on which prices of various petroleum products were fixed has changed to the detriment of oil companies;

(b) whether oil Companies are incurring heavy losses on the marketing of petroleum products; and

(c) if so, the steps taken to remedy the situation?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) Since March 1974, when the prices of the bulk refined petroleum products were revised, there has been a significant fall in the consumption of only lubricants and greases compared to the level of consumption envisaged. A high level of compensatory increase was allowed in the prices of lubricants and greases due to inadequate increases in the prices of kerosene, HSD and cooking gas. The fall in the consumption of lubricants and greases has resulted in substantial under-recoveries to the oil marketing companies.

(b) and (c). The under-recoveries to the oil marketing companies on account of marketing of products is estimated at Rs. 12.36 crores per month. The measures by which the companies are to be compensated are under constant review by the Government.

**Setting up of a Fertilizer Plant in Orissa**

*525. SHRI GAJADHAR MAJHI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether any proposal has been received by the Central Government for setting up of a fertilizer plant in Orissa during the Fifth Five Year Plan; and

(b) if so, the reaction of the Central Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). Government have approved, in principle, the setting up of a fertilizer project at Paradeep in Orissa during the Fifth Five Year Plan period. The project will be taken up for implementation by the Fertilizer Corporation of India Ltd.

**Inability of Burmah Shell to meet Demand for Petroleum Products**

*526. SHRI M. RAM GOPAL REDDY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Burmah Shell have expressed their inability to meet the customers' demand for liquified petroleum and other products during the current year; and

(b) if so, remedial measures being taken by Government in this regard?

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): (a) and (b). With the reduction in crude throughout in their Bombay Refinery, product availability with Burmah Shell will be reduced during the current year. As a result, the company will not be able to meet the requirements of their consumers in full. The shortfall in product availability from Burmah Shell will be made good to the maximum extent possible by the other oil companies in the Public Sector. Shortfall in availability of L.P.G. is proposed to be met partly by increased availability and reallocation from other refineries and partly by releasing additional kerosene oil in the affected areas.

**Closure of Nangal Fertilizer Factory**

*527. SHRI P. NARASIMHA REDDY:
SHRI R. V. SWAMINATHAN:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Rs. 30 crore Nangal fertilizer factory which closed down for 10 days in July, 1974, could not be opened due to the explosion caused on the 31st July, 1974;

(b) if so, the damage caused due to the explosion;

(c) the steps being taken to reopen the factory; and

(d) what were the causes of its closure?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) The Nangal fertilizer plant, which was closed down on 22nd July, 1974, recommenced production on the 3rd August, without any mishap.

(b) and (c). Do not arise.

(d) In the overall national interest it was decided to cut down supply of power to the Nangal fertilizer plant and divert the additional power for agricultural purposes. However, even during the period of closure, a supply of 20 MW of power to the fertilizer plant was maintained in order to keep the critical equipment in a safe condition.

**Removal of Urea from Cochin Fertilizer Plant**

*528. SHRI VAYALAR RAVI:
SHRI K. P. UNNIKRISHNAN:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a large quantity of urea has not been removed from the Cochin Fertiliser Plant even after the withdrawal of the strike; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). The despatches of urea from the Cochin fertilizer plant have been limited mainly due to the obstructionist attitude of the workers of an earlier handling and loading contractor. These workers are claiming that they alone should be employed for the handling and loading of the bagged urea. There have also been some difficulties in the bagging of urea due to mechanical problems in the salt scrappes.

**Abolition of Brand Names of Drugs**

3602. SHRI P. GANGADEB:
SHRI D. D. DESAI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state whether Government propose to abolish brand names to reduce the costs of drugs?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): The implications of brand names and of abolishing them are under examination.

**दानापुर में अधिकारी विश्राम गृह का वातानुकूलित बनाया जाना**

**3603. श्री रामावतार शास्त्री :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या पूर्व रेलवे में दानापुर के अधिकारी विश्राम-गृह को जून 1974 में वातानुकूलित बनाया गया था ;

(ख) यदि हां तो क्या सरकार ने ऐसे सभी विश्राम-गृहों को वातानुकूलित बनाने का निर्णय किया है ;

(ग) यदि नहीं, तो उक्त विश्राम-गृह को वातानुकूलित बनाने के क्या कारण है; और

(घ) उस पर सरकार का कितना पैसा व्यय हुआ ?

**रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी ) :** (क) : जी हां ।

(ख) और (ग) . अर्थोपाय की वर्तमान कठिन स्थिति मे अधिकारियों के इस प्रकार के विश्राम-गृहों को वातानुकूलित करने का आगे कोई प्रस्ताव नहीं है ।

(घ) दानापुर विश्राम-गृह को वाता-नुकूलित बनाने में लगभग 30,000 रु० का व्यय हुआ है ।

**Charge against Colgate, Palmolive and Cadbury Fry India Limited**

3604. SHRI JYOTIRMOY BOSU: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) the specific charges of the Monopolies and Restrictive Trade Practices Commission is investigating against two foreign-controlled monopoly concerns—Colgate, Palmolive and Cadbury Fry (India) Limited; and

(b) how far the investigations have progressed?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABARTA BARUA): (a) The details of certain practices indulged in by—

(i) the Cadbury Fry (India) Private Limited were given in reply to Unstarred Question No. 5401 on the 2nd April, 1974; and

(ii) the Colgate-Palmolive (India) Private Limited were given in reply to Unstarred Question No. 6863 on the 16th April, 1974.

(b) As indicated to the House on the 13th August, 1974 in reply to Starred Question No. 344, the proceedings before the M.R.T.P. Commission in respect of these two companies were *stayed by* the Delhi High Court on the Civil Writ Petitions filed under Article 226 of the Constitution. These cases are posted for hearing on different dates this month.

**Assistance for development of Soap industry in Orissa**

3605. SHRI BANAMALI BABU: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Orissa State Government have asked for the Central assistance for development of soap industry for which the State is eminently suited and has the potential of absorbing large idle man-power; and

(b) if so, the reaction of the Central Government thereto and the salient features of technical and financial assistance proposed to be given to the State?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No such request has been received by this Ministry.

(b) Does not arise.

**Review of MRTP Act**

3606. SHRI P. VENKATA SUBBAIAH:
SHRI DHAMANKAR:
SHRI VASANT SATHE:
SHRI D. P. JADEJA:

Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether any review has been made of the functioning of the Monopolies and Restrictive Trade Practices Act;

(b) if so, the outcome thereof; and

(c) the steps envisaged for stricter enforcement of the Act?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) and (b). Yes, Sir. In terms of section 62 of the M.R.T.P. Act, 1969 Central Government had laid on the Table of the House two Annual Reports pertaining to the execution of the provisions of the M.R.T.P. Act for the periods 1st June 1970 to 31st December, 1971 and 1st January, 1972 to 31st December, 1972 alongwith the reports on the

working of the M.R.T.P. Commission submitted by the Commission for the same periods on 30th April, 1973 and the 14th December, 1973 respectively.

(c) Certain modifications to some of the provisions of the M.R.T.P. Act, 1969 for ensuring the effective emplementation of the objective underlying the statute are under consideration and it is expected that the necessary legislation for the purpose will be brought forward as early as possible.

**Export Naphtha to Japan**

3607. SHRI D. D. DESAI:
SHRI RAGHUNANDAN LAL BHATIA:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether India shipped 20,000 tonnes of naphtha from Cochin to Japan on 23-5-1974;

(b) if so, the foreign exchange earned; and

(c) how long export of naphtha will continue?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). It would be desirable in the public interest to desclose the actual figures of petroleum product exports to individual countries. However the total foreign exchange earned from export of nephthn to Japan was about 2.205 million.

(c) At present there is no plan for any regular export of naphtha. Any further exports will depend upon actual level of interneral consumption.

**Price of Fertilisers**

3608. SHRI MUKHTIAR SINGH MALIK:
SHRI BIRENDER SINGH RAO:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state the price per tonne of various kind of fertilisers during the years 1971-72, 1972-73, 1973-74 and 2nd quarter of 1974?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): At present, Government of India prescribes the maximum retail price in respect of only three fertilizers *viz.* Urea, Calcium Ammonium Nitrate and Ammonium Sulphate. The prices of other fertilizers, except superphosphate, are determined by the individual manufacturing units. In respect of supperphosphate the price is determined by the Fertilizer Association of India in accordance with a formula evolved with the approval of the Government.

The information in respect of selling prices actually charged by various manufacturing units during the period are not available. However, the maximum prices of Urea, Calcium Ammonium Nitrate and Ammonium Sulphate fixed by Government statu-

torily, during the period are given in the Table below:—

Rs. per tonne

| Fertilizer | 1971 | 1972 | 1973 | 1974 |
|---|---|---|---|---|
| | | (w.e.f. 17-3-72) | (w.e.f. 11-10-73) | (w.e.f. 1-6-74) |
| Urea | | | | |
| 46% N | 923 (from 4-3-71) | 959 | 1,050 | 2,000 |
| 45% N . . . | | 940 | 1,030 | 1,960 |
| *Calcium Ammonium Nitrate* | | | | |
| 26% N . . . | 575 | 594 | 645 | 1,145 |
| 25% N . . . | 545 | 565 | 615 | 1,095 |
| *Ammonium Sulphate* 100*Kg. packing* white crystalline | 529 | 549 | 590 | 925 |
| Coloured, powdery | 429 | 449 | | |
| 50 *Kg. packing* | | | | |
| White crystalline . | 540 | 560 | 600 | 935 |
| Coloured/powdery . | 440 | 460 | | |

**Decision to improve the condition of Bankura Damodar Railway**

3609. SHRI KRISHNA CHANDRA HALDAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have decided to improve the conditions of the Bankura Damodar Railway in South Eastern Railway in Fifth Five Year Plan; and

(b) if so, what steps Government are planning to take?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Bankura-Damodar Railway is a Company managed line being operated by the Southern Eastern Railway. The proposals for improvement of track, construction of quarters, improvements to water supply and sanitation in the Railway colony etc. are being examined.

(b) Estimates are under preparation and the Works will be taken in hand as soon as company's acceptance to their share of cost is received.

**दक्षिण मध्य रेलवे में मई, 1974 में गाड़ियों का चलना बन्द करना**

3610. **श्री हुकम चन्द कछवाय** : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने मई 1974 में दक्षिण मध्य रेलवे मे कुल रेल गाड़ियों का चलाना बन्द कर दिया था ;

(ख) यदि हा तो उनकी सख्या कितनी थी और इसके क्या कारण थे; और

(ग) उससे सरकार को अनुमानत: कितनी हानि हुई ?

**रेल मंत्रालय में उप मंत्री (श्री मुहम्मद शफ़ी कुरेशी )** :

(क) जी हा ।

(ख) रेल कर्मचारियों के हड़ताल के कारण तथा कोयला सुरक्षित रखने की दृष्टि से मई 74 के दौरान प्रतिदिन लोहरत्तन लगभग 88 जोड़ी सवारी गाड़ियां और लगभग 190 माल गाड़ियां रद्द की गयी थी।

(ग) इस लेखे मे हुई हानि का अनुमान लगभग 1.48 करोड़ रुपये है।

**मई, 1974 में उत्तर रेलवे में गाड़ियों का चलना बन्द करना**

3611. **श्री हुकम चन्द कछवाय :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार ने मई 1974 मे उत्तर रेलवे में कुछ गाड़ियों का चलाना बन्द कर दिया था ;

(ख) यदि हां तो उनकी संख्या कितनी थी और इसके क्या कारण थे ; और

(ग) उससे सरकार को अनुमानत: कितनी हानि हुई ?

**रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी ) :**

(क) जी हां ।

(ख) रेल कर्मचारियों की हड़ताल के कारण तथा कोयला सुरक्षित रखने की दृष्टि से मई 1974 के दौरान प्रतिदिन औसत लगभग 40 जोड़ी सवारी गाड़िया और लगभग 216 माल गाड़िया रद्द की गयी थी ।

(ग) इस लेखे में हुई हानि का अनुमान लगभग 8.15 करोड़ रुपये है।

**दक्षिण रेलवे में हड़ताल करने वाले स्थायी तथा अस्थायी कर्मचारी**

3612. **श्री हुकम चन्द कछवाय :** क्या रेल मन्त्री यह बताने की कृपा करेंगे कि :

(क) दक्षिण रेल मे इस समय क्रमश: स्थायी तथा अस्थायी कर्मचारियों की संख्या क्या है ,

(ख) 8 मई 1974 मे रेल कर्मचारियों द्वारा की गई हड़ताल मे कितने कर्मचारी शामिल हुये थे , और

(ग) कितने कर्मचारी अपने काम पर उपस्थित थे ?

**रेल मंत्रालय में उप मन्त्री (श्री मुहम्मद शफ़ी कुरेशी ) :**

(क) स्थायी 1,19,335

(ख) अस्थायी . 14,2,23

(ग) . 65 1,15
68,4,43

**रेल हड़ताल के दौरान उत्तर रेलवे में तोड़फोड़ की घटनाएं**

3613. **श्री हुकम चन्द कछवाय :** क्या रेल मन्त्र. यह बताने की कृपा करेंगे कि :

(क) उत्तर रेलवे में 8 मई, 1974 से हुई रेल हड़ताल के दौरान तोड़-फोड़ की कुल कितनी घटनायें हुई ; और

(ख) इस के परिणामस्वरूप रेलवे सम्पत्ति की कुल कितनी क्षति हुई ;

**रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफ़ी कुरेशी ) :**

(क) तीन मामले ।

(ख) कुछ नहीं ।

**Export of Naphtha**

3614. SHRI RAJA KULKARNI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state the countries to which Naphtha has been exported indicating the quantities and prices thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): During 1974 Naphtha has so far been exported to Aden. Japan and Singapore earning foreign exchange of over Rs. 12 crores.

It will not be in the public interest to disclose the quantities and prices of different petroleum products exported to individual countries.

**Derailment of goods train at Ratanpur Station**

3615. SHRI P. GANGADEB: Will the Minister of RAILWAYS be pleased to state the total loss suffered as a result of derailment of a coal special goods train at Ratanpur near Jamalpur on the 14th May, 1974?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): The accident occured on 12-5-1974 and not on 14-5-1974. The cost of damage to railway property involved in this accident has been estimated at approximately Rs. 300/-.

**Foreign collaboration for oil exploration in Bombay High**

3616. SHRI P. GANGADEB: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are contemplating to have foreign collaboration for oil exploration in the Bombay High;

(b) whether some other areas will be offered to foreign firms for oil exploration; and

(c) if so, facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No, Sir.

(b) and (c). Some preliminary discussions are being held in connection with awarding contracts for certain off shore areas. It is not in public interest to disclose the details at this stage.

**Producers of Caustic Soda, Soda Ash and Sulphuric Acid**

3617 SHRI MADHU LIMAYE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the major producers of caustic soda, soda ash and sulphuric acid are 4 monopoly houses;

(b) the particulars about the installed capacity, production and share of the market of each of them;

(c) whether Government's attention has been drawn to the 100 per cent premium that is being charged by the producers or their henchmen on these products and which is escaping the various taxes; and

(d) the steps taken by Government to eliminate the premium and to protect the interests of the small consumers?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). A statement giving installed capacity and production during 1973-74 of units engaged in the manufacture of caustic soda, soda ash and sulphuric acid

is laid on the table of the house. [Placed in Library. See No. LT-8302/74.]

(c) There is no control on the selling prices of caustic soda, soda ash and sulphuric acid.

(d) To meet the increasing demand, licences/letters of intent have been issued for the establishment of additional capacity for these basic chemicals as per details given below:

(Tonnes/year)

| | |
|---|---|
| Caustic soda | .. 11,55,000 |
| Soda ash | .. 8,82,000 |
| Sulphuric acid | .. 20,36.430 |

**Application for expansion of Soda Ash Plant**

3618. SHRI MADHU LIMAYE: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether any applications for expansion of soda ash plant have been made by a Birla concern;

(b) whether the expansion applied for has been granted; and

(c) the reasons for not referring these applications to M.R.T.P. Commission?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) Two notices under Section 21 of the M.R.T.P. Act—one from the Saurashtra Chemicals (Prop. Jiyajeerao Cotton Mills Limited) and the other from the Century Chemicals (Century Spinning & Manufacturing Company Limited) for effecting substantial expansion in the manufacture of soda ash in their existing factories in the Junagadh and Amreli Districts respectively of Gujarat State, were received.

(b) The proposal of the Saurashtra Chemicals unit was approved while that of the Century Chemicals was rejected.

(c) Sections 21, 22 and 23 specifically lay down that an application may be referred to the MRTP Commission for inquiry if the Central Government is of the opinion that no order under the relevant Section can be made without such inquiry. These two applications did not appear to justify further inquiry, inas much as all the requisite facts and material which could form the basis for the decision by the Central Government were available for taking the necessary decision without making any reference to the Commission.

**Prices of Polynyl Chloride, Polestyrene and Polethylene and their distribution**

3619. SHRI MADHU LIMAYE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what were or are the prevalent prices of Polynyl Chloride, Polestyrene, Low Density Polethylene and High Density Polethylene, manufactured by the six monopoly producers both before the various increases in the Naphtha prices and after the increases in recent months;

(b) what has been the distribution patterns in relation to big and small consumers;

(c) whether it is a fact that small consumers have been discriminated against; and

(d) whether Government would lay down a more reasonable distribution pattern?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a).

| Item | Manufacturer | Naptha @Rs. 446/- Feb 74 | Naptha @Rs. 1000 April 74 |
|---|---|---|---|
| LDPE | UCIL (Naphtha based) | Rs. 7380 - | Rs. 9425/- |
| | ACCI (Alcohol ,,) | Rs. 6852 - | Rs. 7094/- |
| HDPE | PIL (Naphtha ,,) | Rs. 6774 - | Rs 8450/- |
| PS. | GP POLYCHEM (Part Alcohol part Naphtha) | Rs. 6550 - | Rs. 9250/- |
| | HI POLYCHEN ,, | Rs. 7750 - | Rs. 10650 - |
| | GP HINDUSTAN POINISRS (Part Alcohol based, part Naphtha) | Rs. 9500 - | Rs. 12400/- |
| | HI Do ,, | Rs. 10400/- | Rs. 13500/- |
| PVC | NOCIL (NAPHTHA based) | Rs. 4900 - | Rs. 6000/- |
| PVC | CALICO (Carbide ,, | Rs. 6680 - | Rs. 6680/- |
| PVC | DCM ,, | Rs.4900/- | Rs. 5100 - |
| PVC | PRC (Naphtha based) | Rs. 5300 - | Rs. 7300/- |
| PVC | CHEM. PLAST (Alcohol based) | Rs. 4900/- | Rs. 5150/- |

(b) to (d)

ACCI price of LDPE revised from 17th June , 1974 (due to increase of export pass fee on alcohol by U. P. Government from 10 Paise to 50 paise).

Ex-works . . . — Rs. 8300/-per tonne

(b) to ( )

The approximate distribution pattern between small and large scale has been as below:—

| | Small Scale consumers | Large-scale consumers. |
|---|---|---|
| PVC | 40% | 60% |
| LDPE | 80% | 20% |
| HDPE | 80% | 20% |
| PS | 80% | 20% |

From the above figures it is seen that there has been no discrimination against small scale consumers.

**Consumption, production and import of Kerosene Oil and petroleum**

3620. SHRI BHOGENDRA JHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what is the present consumption, production and shortage of kerosene oil, petroleum and its bye-products and what is the volume and value of imports to meet the shortage;

(b) what steps are being taken to ensure sale thereof to consumers at fixed prices throughout the country and thereby to prevent black-marketing therein; and

(c) what is going to be the estimated requirement and production by the end of Fifth Plan and what steps are being taken to accomplish self-sufficiency by then?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Within the present constraint of foreign exchange allocation for import of crude oil and other petroleum products availability of petroleum products is expected to be around 22 00 million tonnes during this year. Availability of kerosene oil is planned at about 3.0 million tonnes which will be about 15 to 20 per cent less than the anticipated normal demand during the remain part of 1974-75. The total foreign exchange allocation for import of crude oil and other petroleum products during the year is expected to be about Rs. 1120 crores. Although various curbs on consumption of POL especially for non-essential uses are being imposed, yet every endeavour is being made to meet the requirements of essential POL inputs for agricultural and industrial production.

(b) The prices of bulk refined petrolum products exstorage and installation points are fixed by the Government. The prices of kerosene oil, LDO and furnace oil are also statutorily controlled by the Government under the Essential Commodities Act. On the remaining petroleum products there is an informal price control through the oil companies. State Governments have adequate powers to check blackmarketing of any petroleum product. Oil Companies have also been directed to see that their dealers do not indulge in any black marketing.

(c) The revised demand estimates for the last year of the 5th Five Year Plan are under consideration of the Government in the light of changes in the oil prices and the changed economic situation. With the present anticipation of indigenous Crude availability in the country self-sufficiency in crude oil will not be possible within the Fifth Five Year Plan. However, efforts at exploration onshore and offshore are being intensified to step up domestic production of crude oil.

**Survey for New Railway Lines**

3621. PROF. NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) the number of new lines for which survey has been completed, Zone-wise; and

(b) whether priority would be given to the construction of such of these lines in the States which has been neglected so far?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Surveys have been completed for the following new lines during the Fourth Five year plan Zone-wise:

| Railway Zone | No. of Surveys |
|---|---|
| Northern . . | Ten |
| Central . . . | Seven |
| South Eastern | Six |

| Railway Zone | No. of Surveys |
|---|---|
| North Eastern | Five |
| Western | Six |
| Southern | Five |
| South Central | Two |
| Northeast Front'er | Five |
| Eastern | One |

(b) Yes, subject to availability of funds.

**Representation regarding difficulties in getting accommodation in trains for Jammu at Pathankot**

3623. PROF NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the people of Himachal Pradesh and Northern Punjab have sent representations to the Railway Authorities regarding the difficulties faced by them in getting accommodation in trains for Jammu at Pathankot Railway Station; and

(b) if so, the steps taken by the authorities in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No.

(b) Does not arise.

**Amount spent on Oil drilling at Sumer Talai in Jaisalmer district**

3623. SHRI BIRENDER SINGH RAO:
SHRI MUKHTIAR SINGH MALIK:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state that the amount spent by Government so far on drilling work at Sumer Mali Talai in Jaisalmer district of Rajasthan?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): The amount spent on drilling work in Sumertalai area in Jaisalmar District of Rajasthan upto July 1974 is Rs. 161.10 lakhs.

**Shortage of Diesel and Kerosene oil in Haryana and Punjab**

3624. SHRI BIRENDER SINGH RAO:
SHRI MUKHTIAR SINGH MALIK:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have received complaints about the acute shortage of diesel and kerosene oil in the States of Haryana and Punjab which is causing serious situation in agriculture and industry in the States; and

(b) if so, the steps taken by Government to ease the situation?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). No report of HSD/Kerosene oil shortage has been received from Punjab and Haryana in the recent past. A 30 per cent cut has been imposed on the allocation of kerosene oil to all States from June, 1974 to curb the consumption. State Governments have been advised to make arrangements for supply of diesel oil for agricultural use on cards so that these demands can be met on priority. They have also been advised to initiate steps for economy in the use of diesel in the transport sector and cut down non-essential consumption.

**Refreshment and Vending Licences in Bikaner Division**

3625. SHRI BIRENDER SINGH RAO:
SHRI MUKHTIAR SINGH MALIK:

Will the Minister of RAILWAYS be pleased to state:

(a) the names and addresses of the refreshment and vending licences in the Bikaner Division of Northern Railway whose licences have been terminated on the expiry of the period of six years and 10 years in accordance with the policy laid down by Government; and

(b) the names and addresses of Co-operative Societies and unemployed educated persons who have been granted such licences in that Division during the last three years?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI):

| (1) Name of the station | Name and address of the licencees in Bikaner Division whose contract has been terminated |
|---|---|
| Sudar | 1. Shri Kastur Chand, P.O. Sudsar |
| Churu | 2. Shri Man Raj, P.O. Churu |
| " | 3. Shri Nanak Chand, P.O. Churu |
| " | 4. Shri Satya Narain, P.O. Churu |
| Sadulpur | 5. Shri Bhanwar Singh, P.O. Sadulpur |
| " | 6. M/s. Kishori Lal & Sons, P.O. Sadulpur |
| Delhi Lahori Gate | 7. Smt. Rukmani Devi, Goods shed, Delhi Lahori Gate (M.G.) |
| Rewari | *8. M/s. R.S. Suchet Singh & Sons, Ganga Bhawan, Om Niwas, Mall Road, Dehra Dun. |
| Sudsar | *9. Shri Jivraj Singh, S.O. Sudsar. |
| " | *10. Shri Tulsi Ram, P.O. Sudsar |
| Palam | *11. Shri Valabh Bhai Patel, Near Palam Station. |

†These contracts have been temporarily extended after service of termination notice.

| | |
|---|---|
| Buffet car of 1 BBR/2 BBR trains between Bikaner and Ratangarh. | †12. M/s. Mussadi Lal & Sons, Near Bal Bharati School, Ganga Shehr Road, Bikaner. |
| Raman | †13. M/s. Madan Lal Hari Ram, P.O. Raman. |

*The contracts were terminated under 6/10 year rule but have since been re-awarded.

(b) The Following cooperative societies and unemployed educated persons have been awarded the catering/vending contracts on Bikaner Division during the last 3 years:—

(i) M/s. Indian Railways Catering Cooperative Society Ltd., Ghas Mandi Road, Jodhpur. . . . . Vending Contract at Churu Station.

(ii) The Rajasthan Catering/Vending Workers Cooperative Society Ltd., Sadulpur . . . . . Vending Contract at Sadulpur station.

(iii) Shri Jagan Nath, an unemployed graduate. . . . . Vending contract at Delhi Sadar Bazar.

**Derailment of Wagons in Ludhiana**

3626. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of RAILWAYS be pleased to state:

(a) whether seven empty wagons of a goods train were derailed on the 13th May, 1974 at Ludhiana;

(b) whether some raw hands were operating the train;

(c) if so, the facts thereabout and the damage caused; and

(d) steps taken in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Presumably, the reference is to the derailment of 7 wagons in Ludhiana Yard on 13-5-1974.

(b) No.

(c) On 13-5-1974 while performing shunting from one line to another in Ludhiana Yard 7 wagons derailed due to manipulation of points under the moving wheels.

There was no damage to railway property.

(d) Disciplinary action against the defaulting staff has been initiated.

**Increased Production of Fertilizers**

3627. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

"(a) whether the availability position of fertilizers remains grim; and

(b) whether fertilizer requirements of the States have been fully met?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): According to the Department of Agriculture, the position is as follows:—

(a) There would be a shortfall of about 33 per cent in the availability of fertilizers *vis-a-vis* the fertilizer requirement for the Rabi Season of 1974-75;

(b) the fertilizer requirements of the States for the Kharif season of 1974-75 have been, by and large, fully met; there has been a marginal shortafall of 6 per cent during the season.

**Companies with Paid up Capital of Rupees One Crore and above in Kerala and Tamil Nadu**

3628. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state the names of manufacturing companies in Kerala and Tamil Nadu with paid up capital of rupees one crore and above which fall under M.R.T.P. Act?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): Statement is attached.

**Statement**

*List of manufacturing companies which have registered their undertakings under Section 26 of the M.R.T.P. Act, 1969, as on 31-7-1974 and which have paid-up capital of Rupees One Crore or more and have their registered offices in TAMIL NADU and KERALA STATES.*

| Sl. No. | Name of the Company | State | Paid-up Capital (Rupees in Crores) |
|---|---|---|---|
| (1) | (2) | (3) | (4) |
| 1 | Madura Mills Co. Ltd. | Tamil Nadu | 7·00 |
| 2 | Ashok Leyland Ltd. | " | 7·70 |
| 3 | Ennore Foundries Ltd. | " | 1 6 0 |
| 4 | Binny Ltd. | " | 7·06 |
| 5 | Carborundum Universal Ltd. | " | 1·06 |
| 6 | Tube Investments of India Ltd. | " | 3·75 |
| 7 | Lakshmi Machine Works Ltd. | " | 2·45 |
| 8 | Lakshmi Mills Co. Ltd. | " | 1·59 |
| 9 | South India Viscose Ltd. | " | 4·90 |
| 10 | Madras Aluminium Co. Ltd. | " | 5·96 |
| 11 | Plastic Resins & Chemicals Ltd. | " | 1·12 |
| 12 | Seshasayee Industries Ltd. | " | 1·00 |
| 13 | Simpson & Co. Ltd. | " | 2·25 |
| 14 | Tractors & Farm Equipment Ltd. | " | 2·00 |
| 15 | Brakes India Ltd. | " | 1·96 |
| 16 | Lucas—TVS Ltd. | " | 2·62 |
| 17 | Sundaram Industries Pvt. Ltd. | " | 1·20 |
| 18 | Wheels India Ltd. | " | 1·30 |
| 19 | K. C. P. Ltd. | " | 1·78 |
| 20 | India Cements Ltd. | " | 5·23 |
| 21 | W. S. Insulators of India Ltd. | " | 1·08 |
| 22 | Seshasayee Paper and Boards Ltd. | " | 3·49 |

Note :There is no manufacturing company registered under the M. R. T. P. Act, in Kerala State having Paid-up-capital of Rupees One Crore.

**Electric Lights on Platforms on Southern Railway**

3629. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of RAILWAYS be pleased to state:

(a) the number of railway platforms at present on the Southern Railway where arrangements for electric lights do not exist;

(b) the steps proposed to electrify the railway platforms there during the current financial year; and

(c) future plan of Government in this regard?

STATEMENT

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Platforms at 186 stations

(b) Work of electrifying platforms at 34 stations is being progressed during the current financial year.

(c) As and when electric power supply becomes available nearby, the remaining stations will be programmed for electrification.

**Expansion Programme of Railways in Kerala**

3630. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of RAILWAYS be pleased to state the salient features of the expansion programme of the Railways in Kerala during the next two years?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): The following surveys/projects are in progress falling partly or wholly in the State of Kerala:

(i) A Preliminary Engineering-cum-Traffic Survey for a rail link from Kuttipuram to Trichur *via* Guruvayoor has recently been sanctioned at a cost of Rs. 86,421/-. Further consideration to the proposal shall have to await till the survey reports are received and examined.

(ii) The construction work is in progress for the conversion of M.G. to B.G. from Ernakulam to Trivandrum and is expected to be completed by 1976.

(iii) A Broad Gauge rail link from Trivandrum to Tirunelveli *via* Nagercoil with a branch line to Kanyakumari falling partly in the State of Kerala has been sanctioned at an estimate cost of Rs. 14.53 crores and the work is in progress.

(iv) Traffic Survey for a Broad Gauge link from Kayankulam to Ernakulam *via* Allepey carried out 1970 has revealed that the proposed Broad Gauge link having length of 97.0 km and estimated to cost Rs. 10.0 crores would be highly unremunerative. The line had been included in the list of new railway lines proposed to be taken up in the 5th Five Year Plan for development of backward areas subject to the allotment of additional funds for this purpose by the Planning Commission.

**Railway Lines in Kerala Conform to All India Average**

3631. SHRIMATI BHARGAVI THANKAPPAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether all railway lines in Kerala conform to the All India average; and

(b) if not, the reasons therefor and the steps to be taken to clear the backlog?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Route kilometres of railway lines per lakh of population and per thousand sq. kilometres of area, in Kerala is 4.17 and 22.90 as compared to the All India average of 11.01 and 18.87 respectively.

(b) Railway development is not envisaged on any State-wise or Region-wise concepts but on overall considerations in the national interests. Railway development is planned primarily keeping in view the needs of industrial projects, and rail-transport demands likely to be generated in various parts of the country by the developmental activities in the field of heavy industry, expansion of port facilities, exploitation and utilisation of mineral and natural resources, strategic considerations and the Railway's own operational necessities, having regard to the monetary ceiling laid down by the Planning Commission.

The following surveys/projects are in progress falling partly or wholly in the State of Kerala:

(i) A Preliminary Engineering-cum-Traffic Survey for a rail link (56 kms.) from Kuttipuram to Trichur *via* Guruvayoor has recently been sanctioned at a cost of Rs. 86,421/-. Further consideration to the proposal shall have to await till the survey reports are received and examined.

(ii) The work is also in progress for the conversion of M.G. to B.G. (220 kms.) from Ernakulam to Trivandrum and is expected to be completed by 1976—cost Rs. 13.60 crores.

(iii) A Broad Gauge rail link from Trivandrum to Tirunelveli *via* Nagercoil with a branch line to Kanyakumari (164 kms.) falling partly in the state of Kerala has been sanctioned at an estimated cost of Rs. 14.53 crores and the work is in progress.

(iv) Traffic Survey for a Broad Gauge link from Kayamkulam to Ernakulam *via* Alleppey carried out in 1970 has revealed that the proposed Broad Gauge link having length of 97.0 km. and estimated to cost Rs. 10.0 crores would be highly unremunerative. The line has been included in the list of new railway lines proposed to be taken up in the 5th Five Year Plan for development of backward areas subject to the allotment of additional funds for this purpose by the Planning Commission.

**Coal-Based Fertiliser Plant**

3633. SHRI VISHWANATH PRATAP SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state the broad outlines of the policy regarding making our future fertilizer plants coal-based?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): It is Government's policy to base fertilizer programme on diversified feedstocks keeping in view factors like local availability, technological consideration, overall economics, etc. To minimise dependence on the use of petroleum products and thereby ensure maximum self-reliance in fertilizer feedstock three large sized plants based on coal are under implementation at Talcher, Ramagundam and Korba and more such plants are likely to be set up if found feasible.

**Clearance given by IFFCO to Phulpur Fertilizer Plant**

3634. SHRI VISHWANATH PRATAP SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether IFFCO has been given clearance to proceed with the Phulpur fertilizer plant; and

(b) if so, by when will the construction start?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) The issue of a letter of intent for a fertilizer project in the Co-operative sector at Phulpur has been approved.

(b) According to present expectations the work on the project is to commence by the end of 1974.

**Fly-Over Bridge at Railway Crossing Near Phaphamau Station**

3635. SHRI VISHWANATH PRATAP SINGH: Will the Minister of RAILWAYS be pleased to state whether in view of the importance and volume of the traffic on Allahabad-Varanasi road, Government propose to construct a fly-over bridge at the railway crossing near Phaphamau railway station on Allahabad-Faizabad railway line?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): There is a proposal from the Government of Uttar Pradesh for provision of a road over-bridge in replacement of existing level crossing at Phaphamau on G. T. road. The scheme is in preliminary stage of investigation and planning.

**Bye-Elections to Legislative Assembly and Lok Sabha in Bihar**

3636. SHRI SUKHDEO PRASAD VERMA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether bye-elections to the Bihar Legislative Assembly and one Lok Sabha seat from the State have been postponed indefinitely; and

(b) if so, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITIRAJ SINGH CHAUDHARY):

(a) No, Sir.

(b) Does not arise.

**Loss Suffered by Railways during 1973-74 for Running Catering Unit in Parliament House**

3637. SHRI SUKHDEO PRASAD VERMA: Will the Minister of RAILWAYS be pleased to state:

(a) the total loss suffered by the Railways during the year 1973-74 for running the catering unit in the Parliament House; and

(b) whether Government have investigated into the losses and if so, the result thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The estimated loss of the Railway catering unit at Parliament House during 1973-74 is Rs. 1,93,787.91 (unvetted.)

(b) The reasons for the losses are under examination by the Parliamentary Committee appointed to examine the working of catering establishment in Parliament House.

**Re-allotment of Railway Quarters to Employed who joined Strike**

3638. SHRI SUKHDEO PRASAD VERMA: Will the Minister of RAILWAYS be pleased to state the number of employees who having been evicted from Government quarters during the last Railway strike are still without Government accommodation in spite of their joining the duty after calling off the strike and the reasons for the same?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHFI QURESHI): Only one; the question of allotment of quarter in his case is under consideration.

**Railway Over Bridge at Cuttack**

3639. SHRI ARJUN SETHI: Will the Minister of RAILWAYS be pleased to state:

(a) the progress of the construction of the Railway over bridge at Cuttack; and

(b) the factors hindering the early execution of the project?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Nil. (b) The selection of the site for the road over/underbridge at Cuttack has not yet been finally decided by the Government of Orissa

**रेल कर्मचारियों को मंहगाई भत्ता देने पर हुआ व्यय**

3640. **डा० लक्ष्मीनारायण पांडेय :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि .

वर्ष 1974–75 मे रेल कर्मचारियो पर महगाई भत्ते के रूप मे कितना व्यय हुआ है ?

**रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शफी कुरेशी ) :** अभी तक जारी की गई मंजूरिया के अनुसार 1974–75 के दौरान लगभग 110 करोड रुपये खर्च होने का अनुमान लगाया गया है ।

**रेलवे चिकित्सालय दिल्ली–6 उत्तर रेलवे में उम्मीदवारों की शारीरिक परीक्षा लेने के लिए नियत दिन**

3641. **श्री भारत सिंह चौहान :** रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या रेलवे चिकित्सालय उत्तर रेलवे दिल्ली मे ए–3 और उसके नीचे के उम्मीदवारों को शारीरिक परीक्षा के लिए मंगलवार, शुक्रवार और शनिवार के दिन निश्चित किये गये हैं ;

(ख) क्या इन दिनों के इलावा अन्य दिनों में भी शारीरिक परीक्षाएं ली जाती हैं और ऐसे आरोप हैं कि उसके कारण भ्रष्टाचार पनप रहा है ; और

(ग) यदि हां, तो इन दिनों के अलावा अन्य दिनों ऐसी शारीरिक परीक्षाएं लेने के क्या कारण हैं ?

**रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शफी कुरेशी ) :** (क) जी हां ।

(ख) जी हा किन्तु अतिरिक्त दिनों मे की गई डाक्टरी जाच की पध्दिाटी के फलस्वरूप फैले भ्रष्टाचार के विरुद्ध कोई आरोप नही है ।

(ग) ऐसा इसलिए किया जाता है कि मामले जल्दी निपट जाय और देरी न हो । जब अधिक सख्या मे उम्मीदवार आते है तो बुधवार को जबकि डाक्टरो के पास खाली समय होता है, ए–3 और इस से नीचे की डाक्टरी जाच के मामले भी हाथ मे लिए जाते है । कभी-कभी काम की अधिकता होने पर जिन उम्मीदवारो को मगल, शुक्र और शनिवार को जाच के लिए बुलाया जाता है उन को भी अगले दिनो मे बुलाया जाता है और दैनिक कार्य की समाप्ति के पश्चात् उन की जाच की जाती है ।

**उत्तर रेलवे में जूनियर वेतनमानों पर काम कर रहे रैडियोग्राफर**

3642. **श्री भारत सिंह चौहान :** क्या रेल मंत्री यह बताने की कृपा करेंगे कि ;

(क) उत्तर रेलवे में जोनवार कुल कितने रेडियोग्राफर हैं और इनमे क्रमश कितने जूनियर तथा सीनियर वेतनमानो में हैं ;

(ख) दस वर्षों से अधिक जूनियर वेतनमानों पर काम करने वाले कितने रेडियोग्राफर हैं ; और

(ग) इस गतिरोध को दूर करने के लिये क्या कार्यवाही करने का विचार है ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शाफी कुरेशी ) :

| (क) मंडल | ग्रेड 330–560 रु० (सं० बे०) | ग्रेड 260–430 रु० (सं० बे०) |
|---|---|---|
| दिल्ली | 1 | — |
| फीरोजपुर | 1 | 1 |
| इलाहाबाद | 2 | — |
| मुरादाबाद | 1 | — |
| जोधपुर | 1 | — |
| बीकानेर | 2 | — |
| लखनऊ | 2 | — |
| केन्द्रीय अस्पताल | 3 | — |

(ख) एक

(ग) संवर्ग में सामान्यत कोई प्रगतिरोध नही है ।

**अमृतसर डिवीजनल रेलवे अस्पताल (उत्तर रेलवे) में काम कर रहे कर्मचारियों के लिए क्वार्टर**

3643. **श्री भारत सिंह चौहान** : क्या रेल मत्री यह बताने की कृपा करेगे कि :

(क) क्या रेलवे के मेडिकल पूल के अधिकाश क्वार्टर उन कर्मचारियों को आवंटित किये गये है जो मेडिकल पूल मे नही हैं और इसके परिणामस्वरूप मेडिकल स्टाफ को असुविधा हो रही है ; और

(ख ) अमतसर डिवीजनल रेलवे अस्पताल में काम कर रहे कर्मचारियो को कब तक क्वार्टर दे दिये जायेंगे ?

रेल मंत्रालय में उप-मंत्री (श्री मुहम्मद शाफी कुरेशी ) :

(क) और (ख). जी नही । आवास समिति ने अमृतसर में चिकित्सा पूल के केवल दो क्वार्टर चिकित्सा कोटि से बाहर वाले कर्मचारियों को आवंटित किये थे क्योंकि जिस समय आवास समिति की बैठक हुई थी उस समय चिकित्सा कोटि के जिन कर्मचारियो को यह क्वार्टर आवंटित किये गये थे उन्होने इन्हे लेना स्वीकार नही किया था । आवास समिति ने अब विनिश्चय किया है कि चिकित्सा कोटि के जो कर्मचारी अपनी क्षमता के अनुसार क्वार्टर पाने का दावा करेगे उन्हे उन क्वार्टरो के बदले नये बने हुये दो क्वार्टर आवटित कर दिये जायेगे

**Setting up of New Drug Units under I.D.P.L. in Fifth Plan**

3644. SHRI MARTAND SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have taken a decision on the question of setting up of new drug manufacturing units in the public sector under the Indian Drugs and Pharmaceuticals Limited during the Fifth Five Year Plan period;

(b) whether one of them is proposed to be set up in the State of Madhya Pradesh; and

(c) if so, the broad outlines thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No, Sir

(b) and (c). Do not arise.

**Proposal for minimising dependence on Imported Crude Oil for Production of Fertilisers**

3645. SHRI MARTAND SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is any proposal under Government's consideration for minimising the dependence on imported crude oil for production of fertilizers; and

(b) if so, the broad features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). Crude oil is not directly used at present as fertilizer feed-stock, but petroleum products like naphtha and fuel oil/heavy fractions are being (or would be) used for fertilizer production. To minimise dependence on the use of such petroleum products and thereby ensure maximum self-reliance in fertilizer feedstock, three large sized plants based on coal are under implementation at Talcher, Ramagundam and Korba. The available natural gas is also being pressed to maximum advontage in fertilizer plants. In addition, the fertilizer industry has been advised to make all-out efforts to economise in the use of the various petroleum products.

**Proposal to take over Trade in Kerosene Oil**

3646. SHRI K. MALLANNA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether there is any proposal under Government's consideration to take over wholesale and retail trade in Kerosene oil; and

(b) if so, the main features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No, Sir. No such proposal is at present under consideration of the Central Government.

(b) Does not arise.

**Advance Booking to prevent Blackmarketing in Tickets**

3647. SHRI GAJADHAR MAJHI: SHRI N. E. HORO: Will the Minister of RAILWAYS be pleased to state:

(a) whether a unique system of advance booking for the Railways with a built-in connection to prevent malpractices, such as blackmarketing in tickets has been devised by consultants of the Indian Institute of Public Administration; and

(b) if so, the salient features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The Indian Institute of Public Administration has devised a new system of reservation with the aim of, among other things, eliminating some of the malpractices.

(b) The salient features of the system are—

(i) The reservation registers would be eliminated as the newly designed requisition card itself would act as the basic document for record, preparation of chart, etc.

(ii) The requisition card would also act as a sort of indicating board regarding availability of berths as it would indicate balance accommodation available to the public.

**Occupation of Retiring Rooms and First Class Waiting Rooms at Anara Station of S.E. Railway by C.R.P./R.P.F.**

3648. SHRI JAGADISH BHATTACHARYYA: Will the Minister of RAILWAYS be pleased to state whether the Retiring rooms and the First Class Waiting rooms of the Anara Station in the Adra Division of the

South Eastern Railway for both gents and ladies were occupied by the C.R.P. or R.P.F. personnel till the middle of June, even after the withdrawal of the railway strike and if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): No Retiring Rooms and First Class Waiting Rooms have been provided at Anara station on the South Eastern Railway. Therefore, the question of occupation of Retiring Rooms and Waiting Rooms by C.R.P. and R.P.F. personnel does not arise.

**Allotment of Quarters to Loyal Workers**

3649. SHRI JAGADISH BHATTACHARYYA: Will the Minister of RAILWAYS be pleased to state how many railway workers have been allotted residential quarters on the ground of remaining loyal during the last Railway strike?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): Information is being collected and will be laid on the Table of the Sabha.

**Railway Employees Dismissed and Convicted by Lower Courts in South Eastern and South Central Railways**

3650. SHRI JAGADISH BHATTASHARYYA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of railway employees dismissed during the last six months on the plea that they have been convicted by the lower courts in South Eastern and South Central Railways; and

(b) the nature of charges against these workers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). The information is being collected and will be laid on the Table of the Sabha.

**Payment of Deferred Dividend on New Lines**

3651. SHRI M. C. DAGA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railways owed Rs. 70.28 crores to the General Revenues at the end of year 1971-72 towards payment of deferred Dividend on new lines;

(b) the steps the Railways have taken in reducing revenue expenditure and attracting more high freighted traffic on these lines;

(c) the results thereof; and

(d) how much the Railways have to pay on this account to General Revenues now?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) and (c). The P.A.C. who have examined the matter have also stressed that all out efforts should be made to maximise earnings on these lines. Necessary instructions have been issued to the railways. Traffic on some of the new lines is increasing and the financial position is showing a favourable trend but others are not so well-situated and it is difficult to attract high rated traffic on account of the lines running parallel to well-developed roads close by. The matter is being continuously pursued with the railways concerned.

(d) Out of Rs. 70.28 crores a sum of Rs. 2.11 crores was paid during the year 1972-73 and a sum of Rs. 1.88 crores (figure provisional) is expected to be paid during 1973-74 leaving a

balance of Rs. 65.30 crores (revised figure). Out of this a sum of Rs. 39.03 crores relates to new lines which have not yet completed the moratorium period by 31.3.1972.

**Increase in Prices of Fertilizers**

3652. SHRI MARTAND SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government have recently decided to allow a steep increase of about 80 per cent in fertilizer prices;

(b) whether there has been opposition from the Ministry of Agriculture regarding the price hike in the case of fertilizers; and

(c) if so, the broad outlines of the decision of Government in this regard?

THE MINISTER OF STAE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). The prices of the three main nitrogenous fertilzers, which are presently statutorily controlled, have been revised with effect from 1st June, 1974 as indicated below:—

(Rs. per tonne)

| Name of Fertilizer | Retail price before revision | Retail price effective from 1-6-74 |
|---|---|---|
| Urea (46% N) | 1050 | 2000 |
| Amm. Sulphate (21% N) | 600 | 935 |
| Nitrate (26% N) | 645 | 1145 |

**Production of Soap**

3653. SHRI VAYALAR RAVI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the total quantity of Soaps produced in the country in the years 1971, 1972 and 1973 by different companies producing these products;

(b) how does the actual production compare with their respective production capacity and whether it is a fact that the producers are deliberately keeping the production at low level for earning more profits; and

(c) if so, the action taken by Government in this regard?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAH NAWAZ KHAN): (a) to (c). The information is being collected and will be laid on the Table of the House.

**Take over of Shalimar Works Ltd., Howrah**

3654. SHRI SAROJ MUKHERJEE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government, have decided to take over the Shalimar Works Ltd., Howrah in West Bengal; and

(b) if so, what steps have been taken to implement the decision?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). No decision has yet been taken to take over the undertaking.

**Track Recording Car Designed by R.D.S.O., Lucknow**

3655. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether the signalling and telecommunication workshop at Secunderabad has manufactured as electronic type of track recording car designed by the Research, Design and Standard Organisation (R.D.S.O.), Lucknow;

(b) whether previously such track recording cars were imported;

(c) whether in the said workshop at Secunderabad some capacity has been created to manufacture such cars; and

(d) if so, what will be annual saving of foreign exchange?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) Although one car using mechanical instrumentation was imported, no car using electronic instrumentation has been imported.

(c) As and when required, such cars can be manufactured.

(d) Rs. 15 lakhs per track recording car.

**Higher Punishment to Participants in Strike**

3656. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway authority issued a D.O. No. C.3399-3938, dated the 8th July, 1974 to the effect that those who "proceeded on strike, permanent or temporary will be subjected to break of service";

(b) whether in the same D.O. instruction has been issued to terminate services of temporary employees who made "passive anticipation" in the Railway strike;

(c) if so, salient features about the Circular or D.O. and the reasons for giving higher punishment to temporary employees; and

(d) whether Government propose to withdraw these discriminatory orders?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No such D.O. reference has been traced to have been issued. However, under extant rules, railway employees permanent or temporary, participating in an illegal strike get a break in their service.

(b) to (d). Do not arise.

**Effect of Strike on South Eastern Railway**

3657. SHRI RAJDEO SINGH: Will the Minister of RAILWAYS be pleased to state:

(a) whether South Eastern Railway carries nearly one third of the entire goods traffic of Indian railways;

(b) if so, whether 50 per cent of its goods traffic is to and from the steel plants and it serves the mineral belt of the Eastern region and is also the pipeline to the four major Ports of Calcutta, Visakhapatnam, Paradeep and Haldia;

(c) whether to paralyse the country's economy the strike leaders concentrated their efforts on this Railway; and

(d) if so, the response of the Railway employees of this Railway?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) The trend of traffic for the last 3 years indicates that nearly 40 per cent of the total goods traffic on South Eastern Railway is to and from Steel Plants. This Railway serves the mineral belt of the Eastern Region and the four major Ports of Calcutta, Visahapatnam, Paradeep and Haldia.

(c) and (d). The response of loyal workers on the South Eastern Railway was as good as on any other Railway and about 60 per cent of them stuck to their post of duty throughout the strike; majority of

those who participated in strike, resumed duty before the end of the strike.

**Investigation into Complaints of Misuse of Labour and Sale of Railway material**

3658. SHRI MAHA DEEPAK SINGH SHAKYA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 3777 on the 30th March 1973 about complaint regarding misuse of labour and sale of Railway material and state:

(a) whether the investigations have been completed and the charges substantiated;

(b) if so, whether the staff at fault have been charge-sheeted; and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Investigations in this case have since been completed. The allegations specifically alleged, have not been substantiated.

(b) and (c). However, during the investigations, it was observed, *by the way*, that the Senior Health Inspector alleged against had not brought to the notice of his superiors the fact of the non-handing over of the Stores to him. by his predecessor, and had also failed to bring to the notice of the DMO concerned the fact that his men were sitting idle on this account. Disciplinary action against the Senior Health Inspector concerned is being taken for this lapse on his part.

**Staff held Responsible for Undercharging at Saharanpur**

3659. SHRI MAHA DEEPAK SINGH SHAKYA: Will the Minister of RAILWAYS be pleased to refer to the reply given to Unstarred Question No. 9270 on the 7th May, 1974 regarding recovery of undercharges on Luggage Tickets booked from Lahru to Saharanpur (Northern Railway) and state:

(a) whether the staff held responsible have been charge-sheeted; and

(b) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI). (a) Yes.

(b) The question does not arise.

**एकाधिकार तथा प्रतिबन्धात्मक व्यापार प्रक्रिया अधिनियम के अन्तर्गत अनिर्णीत मामले ।**

3660. **श्री मूलचन्द डागा :** क्या विधि न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) एम० आर० टी० पी० एक्ट के अन्तर्गत इस समय लाइसेंसों के लिये कितने आवेदन पत्र अनिर्णीत है तथा वे कब से अनिर्णीत पड़े हैं और संबंधित पार्टियों के नाम क्या हैं ?

(ख) इन पर निर्णय कब तक कर लिया जायेगा तथा इसमें विलम्ब के क्या कारण हैं ;

(ग) क्या प्रक्कालन समिति ने अपनी पचासवीं रिपोर्ट (पांचवीं लोक सभा) में यह सिफारिश की है कि नवम्बर, 1973 से नये तरीके अनिर्णीत मामलों पर लागू किये जाऐं; और

(घ) यदि हां, तो क्या उन सिफारिशों को इन अनिर्णीत मामलों के संबंध में लागू किया जा रहा है ?

**विधि, न्याय और कम्पनी कार्य मंत्रालय में उप-मंत्री (श्री बेदव्रत बरुआ ) :** (क) सदन के पटल पर एक विवरण-पत्र प्रस्तुत है। [ग्रन्थालय में रखा गया देखिये संख्या 8303/74 ]

(ख) एकाधिकार एंव निबंधनकारी व्यापार प्रथा अधिनियम की धारा 30 के अनुसरण में, जहा केन्द्रीय सरकार की यह राय हो की

धारा 21 अथवा 22 के अन्तर्गत अनुमोदन जब तक प्रदान नहीं किया जा सकता है तब तक कि इस विषय पर आयोग द्वारा पुनः जांच न कर ली जाय, तो वह इस प्रकार के नोटिस की प्राप्ति की तारीख से 60 दिन के अन्दर इस विषय को आयोग को निर्देशित करेगी ; यदि इस प्रकार के किसी नोटिस आवेदन-पत्र के सम्बन्ध में, की केन्द्रीय सरकार द्वारा किन्हीं अन्य ब्यौरों का माग की गई है, तो यह कथित 60 दिन की अवधि उस तारीख से गिनी जायेगी जिसको यह ब्यौरे सरकार को भेजे गये हैं। आवेदन-पत्रों के जितने संभव हो, उतनी शीघ्रता से निपटाने करने के प्रयासों के बावजूद भी, तकनीकी विकास के महानिदेशालय तथा अन्य सम्बन्धित प्राधिकारियों के इन विषयों के तकनीकी-आर्थिक स्वरूपों तथा सम्बन्धित मंत्रालयों के साथ आवश्यक परामर्श, व साथ ही किसी अन्तिम आदेश के प्रेषण से पहले, एकाधिकार एवं निर्बंधनकारी व्यापार प्रथा अधिनियम की धारा 29 के अन्तर्गत, आवेदनकर्ता कम्पनी का प्रदान की जाने वाली सार्वजनिक सुनवाई की अपेक्षा, की दृष्टि से प्रस्तावों की परीक्षा की अपेक्षा के कारण कुछ सीमा तक देरी अपरिहार्य हो जाती है। बहुत से विषयों में कम्पनियों को प्रस्ताव के अनुमोदन के लिए, आरोपित किये जाने वाले प्रतिबन्धों की बाबत, अपना इरादा व्यक्त करने से पहले, पत्राचार करना तथा सुनवाई को स्थगित करने की मांग करनी पड़ती है। यह सुनिश्चित करने के प्रयास किये जा रहे है कि जहां तक सम्भव हो, साधारणतः आवेदन-पत्र विहित समय पर सीमान्तर्गत निपटा दिये जायें।

(ग) हां, श्री मान जी।

(घ) प्रशासनिक मंत्रालय, अर्थात औद्योगिक विकास मंत्रालय में प्राक्कलन समिति की सिफारिशें विचाराधीन हैं।

**उच्च न्यायालयों का निरीक्षण**

3661. **श्री मूलचन्द डागा :** क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सर्वोच्च न्यायालय और उच्च न्यायलयों के न्यायाधीशों द्वारा हर महीने निपटाये जाने वाले मुकदमों की संख्या निर्धारित है,

(ख) क्या उच्च न्यायलयों का निरीक्षण किया जाता है और यदि हां, तो निरीक्षण कौन करता है, वह किस रूप में होता है और एक वर्ष में कितनी बार होता है तथा वर्ष 1973 में किन किन उच्च न्यायलयों का निरीक्षण किया गया,

(ग) क्या निरीक्षण रिपोर्ट विधि मंत्रालय को प्रस्तुत की जाती है, और

(घ) सर्वोच्च न्यायालय के उन न्यायधीशों के नाम क्या है जिन्होंने वर्ष 1973 में उच्च न्यायलयों का निरीक्षण किया, उन उच्च न्यायलयों के नाम क्या है और क्या गतिविधि भूने बनाई गई है ?

**विधि, न्याय और कम्पनी कार्य मंत्री (श्री एच० आर० गोखले)** (क) जी नहीं।

(ख) संविधान के अधीन ऐसा कोई उपबंध नहीं है जिसके अनुसार किसी प्राधिकारी द्वारा उच्च न्यायालयों का निरीक्षण किया जाए।

(ग) और (घ) प्रश्न ही नहीं उठता।

दिल्ली में पेट्रोल की खपत

3662. श्री मूलचन्द डागा : क्या पेट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि:

(क) जनवरी, 1974 में दिल्ली में पेट्रोल की खपत क्या थी और बाद के महीनो में इसकी क्रमश: कम होती गयी खपत के बारे में आकडे क्या है; और

(ख) क्रमश: जनवरी, 1974 और जून 1974 में दिल्ली में सरकारी गाडियो पर कितने लीटर पेट्रोल की खपत हुई और पेट्रोल के सरकारी खर्च पर कितनी मितव्ययिता की गई।

पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां): (क) सूचना एकत्र की जा रही है एंव सभा पटल पर प्रस्तुत की जायेगी।

(ख) सूचना के एकत्रण मे काफी समय एंव श्रम लगेगा जो प्राप्त होने वाले परिणामों के अनुकूल नही होगे।

**Division-wise Position in regard to Break-in-Service, Suspension and Prosecution**

3663. SHRI BHOGENDRA JHA: Will the Minister of RAILWAYS be pleased to state:

(a) what is the latest Railway-wise position of the employees against whom break-in-service, suspension, prosecution and other orders in connection with the last All-India strike have since been withdrawn and number of those whose cases are still pending or have been rejected, Railway-wise in the whole country and Division-wise on the North Eastern Railway; and

(b) what is latest position regarding the implementation of the six demands of railwaymen conceded before the commencement of the strike?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Information is being collected and will be laid on the Table of the Sabha.

(b) The six accepted demands are in the process of implementation.

**Railway Employees Plan another Strike**

3664. SHRI MUHAMMED SHERIEF: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Railway employees are again planning to go on strike; and

(b) if so, the steps taken by Government in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI). (a) At some meetings of railwaymen who took part in the strike of May, 1974, threats have been made to revive agitation.

(b) Under Section 118 of the Defence of India Rules, strike on Indian Railways continues to be banned and appropriate action to meet the situation will be taken as and when necessary.

**Tube Railways in Bombay and Delhi**

3665. SHRI R. S. PANDEY: Will the Minister of RAILWAYS be pleased to state:

(a) whether work on tube railways in Bombay is to begin in the current year; and

(b) if so, the tentative time by which the work on similar project in Delhi will start?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) The Planning Commission has provisionally agreed to a part of an overground scheme of Mass Rapid

Transit System in Bombay being taken up from 1974-75 for which adequate provision had been made in the relevant Budget. After the Planning Commission has finally cleared the Project, Government's approval to its construction will be obtained.

(b) The techno-economic feasibility studies for the mass rapid transit network are now in hand with the Delhi Metropolitan Transport Project (Railways) Organisation. The time phasing of implementation of the different schemes will be known only after the Government have considered the feasibility study reports and the recommendations contained therein. The study reports are expected to be received one by one from the last quarter of 1974.

**Prosecutions under D.I.R. against Railway Employees**

3666 SHRI INDRAJIT GUPTA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have decided that prosecutions under Defence of India Act against Railway employees charged with no offence other than mere participation in the strike of May 1974 should be withdrawn;

(b) whether appropriate instructions have been issued to the various State Governments; and

(c) the number of pending cases in this category?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). In Court cases instituted against railway employees for violation of the Defence of India Rules, the law has to take its course.

(c) Information is being collected and will be laid on the Table of the Sabha.

**Increase in Prices of Raw Material for Drugs**

3667. SHRI M. M. JOSEPH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware that the prices of basic raw materials such as ampicillin, axtic acid, chloroform, glycerine and vitamin B2 have risen by more than 50 per cent between December, 1973 and April 1974;

(b) whether the price of other ingredients like benzene chloropenicol, folic acid, methanol and phenobar lutone have gone up by more than 100 per cent in the same period; and

(c) if so, the remedial action Government propose to take to check the rise in prices of medicines?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). In so far as Ampicillin, Vitamin B2, Folic Acid, Glycerine I.P. and Phenobarbitone are concerned, the prices of these bulk drugs are controlled and fixed by the Government under the Drugs (Prices Control) Order, 1970 and no price increases were allowed for these drugs between December, 1973 and April, 1974. The prices of Acetic Acid, Chloroform Benzene and Methanol are and controlled these being chemicals and the prices prevailing as in December, 1973 and April, 1974 are indicated below:—

| Item | Price as in December, 1973 | Price as in April, 1974 |
|---|---|---|
| | Rs. /Kg. | Rs /kg |
| Acetic Acid | 3·01 to 3·98 | 4·40 to 6·75 |
| Chloroform | 10·24 | 16·76 |
| Benzene | 1·22 | 1·811 to 3·175 |
| Methanol | 1 346 to 1·83 | 3·67 to 4·34 |

(c) The prices of drugs and pharmaceuticals are controlled under the Essential Commodities Act and price increases are allowed only after necessary scrutiny by the Bureau of Industrial Costs and Prices.

**Increase in cases of Robbery around Calcutta Suburban Area**

3668. SHRI BISHWANATH JHUNJHUNWALA: Will the *Minister of* RAILWAYS be pleased to state:

(a) whether cases of robbery in Railways around Calcutta Suburban areas have increased enormously;

(b) if so, the steps taken by Government in this regard;

(c) how many persons have been arrested; and

(d) whether Government propose to institute summary trials for crimes in trains?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No.

(b) Security of person and property of passengers is the responsibility of the State Government, which they discharge through the agency of Government Railway Police.

The Government Railway Police have posted armed Police pickets on the railway tracks in vulnerable portions of the Subarban Section. Selected night passenger carrying trains in this section are being escorted by armed police. Plain clothed Government Railway Police staff also travel in night trains for shadowing gang members responsible for such crimes.

(c) 71 persons have been arrested by the police during the period 1-1-1974 to 15-8-74.

(d) Under the Constitution, 'law and order' is a State subject and, therefore, the Question of instituting summary trials in crimes in trains is for the State Governments to examine and decide.

**Scheme to supply diesel and petrol to State Transport at Subsidised Rate**

3669. SHRI BISHWANATH JHUNJHUNWALA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what is the total consumption of diesel and petrol by State Transport organisations put together;

(b) whether with a view to keeping the cost of public transport at a reasonably low level, Government have considered the desirability of supplying diesel and petrol at a subsidised rate all over India; and

(c) if so, the broad outlines of the scheme drawn up in this connection?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) IOC is supplying HSD to most of the State Transport Undertakings. The supply by other oil companies is marginal. Provisional estimates of supplies to these undertakings by IOC during 1973-74 are approximately 618,000 MTs.

The State Transport Undertakings mainly use HSD for their fleet. Petrol is supplied to them in a very small quantity.

(b) No, Sir.

(c) Does not arise.

**Petrol Pumps of I.O.C. in Punjab**

3670. SHRI ANADI CHARAN DAS: Will the *Minister of* PETROLEUM AND CHEMICALS be pleased to State:

(a) the total number of petrol pumps of IOC in Punjab as on the 31st July, 1974; and

(b) the number sanctioned during 1973-74?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) There were 218 retail outlets of IOC in Punjab as on 31st July, 1974.

(b) The total number of appointment letters issued for outlets in Punjab during 1973-74 was 39 out of which 32 were commissioned during the year.

**Negotiations with Representatives of Railwaymen**

3671 PROF MADHU DANDAVATE: Will the Minister of RAILWAYS be pleased to state:

(a) in view of the categorical statement made in the Lok Sabha by him on the 30th July, 1974, will he promptly invite the representatives of railwaymen to resume the negotiations which were discontinued due to the arrest of Shri George Fernandes and his colleagues; and

(b) if so, when will the negotiations be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). As was clarified on the floor of the House on 30th July negotiations were conducted with AIRF and NFIR There was agreement on six points and on two points we could not agree. Therefore, there is no question of any resumption of the said negotiations.

However, the two Federations, which enjoy negotiating facilities, are always welcome to propose items for discussion and they will be discussed under the aegis of the PNM or the J.C.M. Scheme as the case may be.

**Convertion of S.S. Light Railway into Broad Gauge**

3672. SHRI ANADI CHARAN DAS: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Prime Minister during her election campaign in December, 1973 at Khekra, District Meerut (U.P.) had stated that S.S. Light Railway will be converted into broad gauge railway and Khekra town linked with Delhi;

(b) when the work on the project was started, the expenditure involved thereon and progress made so far; and

(c) the time by which the work will be completed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI): (a) and (b). Khekra Station existed on the former Shahdara-Saharanpur Light Railway. Construction of a new BG line in the area served by the former Light Railway has already been approved and a final location survey is in progress The estimated cost of the project is Rs. 17 42 crores Earthwork had been started in February, 1974 and 95300 cubic metres has so far been completed. The final decision regarding the alignment to be followed and the location of stations will however, be taken after the survey is completed and the report examined.

(c) The project is expected to be completed by April, 1978.

**Survey for Railway Facilities in Delhi, Bombay, Calcutta and Madras**

3673 SHRI R P DAS: Will the Minister of RAILWAYS be pleased to state:

(a) whether any techno-economic survey has been ordered to assess the requirements of rail facilities in metropolitan cities of Delhi, Calcutta, Bombay, Madras or in any other big city;

(b) whether the survey tried to define the development which has to be carried out in these areas to deal with not only the existing demand of passenger traffic but also the increase which is likely to take place further during the course of the Fifth Five Year Plan; and

(c) if so, the salient features of such survey?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) Yes.

(c) The salient features of a Rapid Transit System being surveyed for Calcutta, Bombay, Madras and Delhi are as follows:—

CALCUTTA—Mainly an underground project, in north-south direction, between Dum Dum and Tollyganj, about 17.5 kilometres long.

BOMBAY: Mainly an over-ground system in north-south direction, between Fort Market and Goregaon with allied changes on the Harbour Branch, about 35.7 kilometres long.

MADRAS DELHI, ETC: The salient features of other schemes for Madras, Delhi, etc. as well as for Calcutta and Bombay whose studies are in hand will be known after the reports are finalised and considered by the Government.

**Permission granted to a Foreign company to Import Raw Rutin**

3674. SHRI DHARMANKAR:
SHRI VASANT SATHE:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether a foreign company has been allowed import of 'raw Rutin' for manufacture of Rutin in India;

(b) if so, at what cost this raw material is being imported and how does the price of raw material compare with the international prices for pure Rutin;

(c) whether the 'raw Rutin' contains nothing but pure Rutin in coloured form and that it meets all pharmacopcial tests except the colour;

(d) whether therapeutic efficacy of Rutin is doubtful and that Food and Drug Administration of USA has issued notices to the manufacturers for banning the production of Rutin; and

(e) if so, what action is proposed to be taken to ensure that foreign exchange is not wasted on avoidable import of raw material for manufacture of Rutin?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). M/s. E. Merek (1) Pvt. Ltd., a company with a foreign equity exceeding 50% are licenced to manufactur 4 Tonnes p.a. of Rutin based on the import of crude rutin. The party was, however, to explore the possibilities of producing rutin from basic stages and submit phased programmes in this regard. They have since submitted this programme.

C.I.F. value of crude rutin mentioned in the import application of the party works out to about 51.2 per Kg. CIF price of pure rutin is about 123 per Kg. (1972-73 data).

(c) Position in this regard is being checked up.

(d) and (e). Rutin, which is a flavonoid derivatives that been used for prophylaxis or treatment in great variety of disorders supposedly involving faulty capillary permeability and fragility, including habitual and threatened abortion, post-partum bleeding etc. It has also been widely used for prophylaxis of post operative bleeding and for colds and influenza.

The ford and Drug Administration in the United States have with the aid of the National Academy of Sciences (NAS) and the National Research Council (NRC) reviewed the evidence of efficacy of approximately 3,000 drugs moving in the democratic market which had been approved during 1938-62. As a result of this review the Food and Drug Administration had directed the withdrawal from the market of 355 preparations most of which are combinations, on the basis

that they lack substantial evidence of effectiveness or that an unfavourable benefit to risk also exists in their case. Rutin tablets were included in this list.

It is understood that action has been initiated in U.S.A. to cause the withdrawal of rutin and other biflaynids preparation (usually prescribed in combination with ascorbic acid) from the market The Essential Drugs Committee constituted by the Ministry of Health is going into the therapeautic efficacy of Rutin and is expected to make their recommendations after eliciting expert medical opinion in India on the subject.

**Increase allowed in prices of certain Drugs produced by foreign firms**

3675. SHRI DHAMANKAR·
SHRI VASANT SATHE:
Will the Minister of PETROLEUM AND CHEMICALS be pleased to State:

(a) whether a good number of foreign firms have been allowed price hike on products like Vitamin B-Complex, Anti-biotic formulations and Vitamin-formulations to the extent of 50 per cent and more, without checking or investigating whether these companies had been having excessive marks up in any of their fast selling items;

(b) if so, the names of companies and the products for which price hikes have been allowed from January, 1974; and

(c) what steps have been taken or are proposed to be taken to ensure that no price increase is allowed unless Government are satisfied about the rationality and urgency of the cases?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). No price increases have been allowed to foreign firms for their products like Vitamin B-Complex Antibiotic formulations and Vitamin formulations to the extent of 50% and more. Price increases for all the firms whether Indian or foreign are allowed after scrutiny of cost details.

**Foreign companies marketing products of small units**

3676 SHRI DHAMANKAR:
SHRI VASANT SATHE:
Will the Minister of PETROLEUM AND CHEMICALS be pleased to state·

(a) whether Government have permitted some foreign companies to manufacture fine chemicals in India and that these companies purchased the fine chemicals from small scale units at cheaper prices and after repacking marketed these chemicals at exorbitant prices;

(b) whether M/s. Hoechst Pharmaceuticals Private Limited have marketed Ampicillin manufactured through a small firm with a big profit margin, in contravention of Drug (Prices) Control Act, 1970, restriction on trading activities of foreign firms and D.G.T.D. restriction on production capacities; and

(c) if so, what action has been taken or is proposed to be taken to stop such trading activities and to ensure a fair deal to small scale units for marketing their products?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN) (a) to (c) Information is being collected and will be laid on the Table of the House

**Supply of cement for Kangra Valley Railway Construction**

3677 PROF. NARAIN CHAND PARASHAR· Will the Minister of RAILWAYS be pleased to state:

(a) whether there is shortage in the supply of cement for the construction work in the re-alignment of the Kangra Valley Railway; if so, whether the progress of the work has been slowed down on account of this shortage;

(b) the estimated quantity of cement required for the whole project and the total quantity which has been supplied so far;

(c) whether Railways have taken any steps to overcome this shortage and complete the re-alignment according to schedule; and

(d) if so, the nature of steps taken?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI). (a) No.

(b) The estimated quantity of cement required for the whole project is 26,000 tonnes out of which 18,900 tonnes have already been supplied.

(c) and (d). Do not arise.

**Decision to retain alien Directors in Larsen and Toubro Ltd.**

3678 SHRI P. G. MAVALANKAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government have revised their earlier decision in regard to the continuance of alien directors in Larsen & Toubro Ltd.;

(b) if so, the present position; and

(c) when was the decision taken and whether the Company has been informed?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA). (a) and (b). In view of important works entrusted to the Company, the Government slightly modified their earlier decision so as to ensure some gradualness in the changeover in top management. Shri Holck-Larsen alone has been reappointed Managing Director for one year with effect from 1st April, 1974.

(c) The above decision was taken towards the end of March, 1974. The resolution passed by the Company subsequently is in accordance with the decision of Government in the matter.

**Deputy Managing Directors of Larsen & Toubro Ltd.**

3679. SHRI P. G. MAVALANKAR: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Government are aware that contrary to their directions, two ex-patriate Dy. Managing Directors of Larsen & Toubro Ltd. still continue to be directors in the associated and subsidiary companies; and

(b) if so, the action taken to ensure compliance to Government directions?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA) (a) and (b). Information is being collected and a statement will be placed on the Table of the House.

**Increase in strength of G.R.P.**

3680. SHRI R. N. BARMAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether Railway Ministry has decided to increase the strength of G.R.P., if so, the reasons therefor particularly in view of the present economic crisis;

(b) salient features of the strength of G.R.P., Railway Ministry has decided to increase;

(c) whether the percentage of Sheduled Castes, Scheduled Tribes em-

employees is much below than that of the quota reserved for them in G R P.; and

(d) if so, the reasons therefor and the steps Government propose to take to make up the percentage?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI) (a) There is no such proposal under the consideration of Railway Ministry

(b) Does not arise

(c) and (d) Under the Constitution G R P which is part of the State Police, functions under the administrative control of the State Governments Who are the anthorities competent to ensure filling up of the prescribed quota of Scheduled Caste and Scheduled Tribes personnel in the G R P

**Brady and Companies**

3681 SHRI SHANKERRAO SAVANT Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to refer to the reply given to Unstarred Question No 2748 on 12th March, 1974 regarding Brady & Company Bombay and state

(a) the efforts made so far by the Government's nominees on the Board of Directors of Brady and Company to improve the working and to unearth the illegalities and irregularities in the working of the Company and the results thereof;

(b) whether Morarkas have shown cooperation with Government nominees,

(c) whether several grievances of the employees are still unredressed, and

(d) if so, what are those grievances and why have they remained unredressed?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA). (a) to (d) The information is being collected and a statement will be laid on the Table of the House

**Damage to wells drilled by Sagar Samrat in Tarapur and Bombay High**

3682 SHRI SHANKERRAO SAVANT Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government have seen the press reports that the wells drilled by Sagar Samrat at Tarapur and Bombay High are damaged and may not yield the expected quantity of oil,

(b) if so, the facts thereof, and

(c) where Sagar Samrat is being used at present and with what effect?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN) (a) Yes, Sir

(b) The well drilled on the Tarapur structure to a depth of 2782 metres was temporarily abandoned on account of complications encountered in the well during drilling and having regard to the over-all safety of the drilling platform No oil show was encountered at this well and so the question of this well not yielding the expected quantity of oil does not arise

The first well on Bombay High structure struck oil and gas It has been temporarily abandoned after production testing of the main formation was found to be inconclusive as to the optimum oil production potential from this well High oil-gas ratio was encountered during testing due to possible gas influx/channel

(c) After completing the drilling and production testing at the first well on the Bombay High structure Sagar Samrat was moved to Bombay Port for minor repair of one auxiliary tank footing on 8-6-1974 and Sagar Samrat left for the next drilling location after obtaining favourable weather forecast

for location move but, unlike last year this time weather conditions turned out to be adverse in the Bombay High area and Sagar Samrat had to return to Bombay Port on 30th May, 1974.

Since then weather conditions continued be advere in Bombay High area for location move and for resuming drilling. It is hoped that Sagar Samrat will be able to move to the second location on the Bombay High structure by about the middle of September, 1974.

**Import and indigenous manufacture of Cooking Gas containers**

3683. SHRI SHANKERRAO SAVANT: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) how many cylinders of cooking gas are imported every year and how many are manufactured indigenously and where; and

(b) what attempts are made to manufacture the entire requirement at home?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). The LPG cylinder manufacturing capacity in the country is at present adequate to meet the demands of oil companies. There is as such no import of LPG cylinders into the country. Indigenous steel availability is, however, less than total demands. Import of 5,000 tonnes LPG steel was permitted in 1973-74 and the same quantity is being imported during this year. Technological constraints do not at present permit raising the level of indigenous production of steel suitable for LPG cylinders, as this is made out of killed quality sheets, the general availability of which is low. The question of increasing production of such special quality material, without disproportionately disturbing the production of ordinary steel is currently under examination of the Ministry of Steel.

**Import of tallow and its substitution in Soap making**

3684. SHRI SHANKERRAO SAVANT: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the quantity and value of tallow imported during 1972-73, 1973-74 and 1974 upto end of June; and

(b) what steps are taken to substitute tallow by other ingredients in soap making?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) The quantity of tallow imported by STC, through whom the imports are canalised, during the years 1972-73, 1973-74 and 1974-75 upto end of June and the corresponding foreign exchange involved for the years 1972-73 and 1973-74 is as under:—

| | Tonnes | Rs./Crores |
|---|---|---|
| 1972-73 . | 63,783 | 9·16 |
| 1973-74 . | 72,703* | 19·92 |
| 1974-75 upto June | 21,156 | .. |

*This includes a quantity of 40,132 tonnes of palm oil which is similarly used in the manufacture of soaps.

(b) Government is encouraging the use of rice bran oil and minor seed oils such as sal, karanj, neem and mowrah in production of soaps and with this objective the excise rebate for use of the minor oils in soap production was substantially increased about a year ago. Government has also granted a number of fresh approvals for capacity for synthetic detergents, a substitute for laundry soap.

**Shortage of Petrol and Kerosene in Gujarat State**

3685. SHRI P. M. MEHTA: Will the Minister of PETROLIUM AND CHEMICALS be pleased to state:

(a) whether there has been acute shortage of petrol and kerosene in the State of Gujarat in the months of July and August, 1974;

(b) if so, the main reasons for this shortage;

(c) whether this shortage has greatly affected the industrial production due to the difficulty in the movement of raw material; and

(d) if so, what steps were taken by Government to supply the quota fixed for the State?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). There has been no shortage of motor spirit (petrol) in any part of the country including Gujarat. Kerosene Oil quotas to States have, however, been reduced by 30 per cent since June, 1974. Some complaints of shortages of kerosene have, therefore, been received from States. Gujarat Government had also approached for increasing the kerosene allocations for the months of July and August, 1974. Curtailment of quotas are necessitated primarily on account of reduced product availability during the current year against demands within the limited foreign exchange availability for import of crude oil and other petroleum products of which there has been a steep increase in prices in the world market.

(c) Kerosene oil is not generally used as domestic fuel except for very small quantities in some industries like textile etc. These demands are also to be met within the quotas allocated to States. The distribution of State quotas is done by the respective State Governments.

(d) Kerosene oil supplies to Gujarat have generally been more than the allocations. During July and August, in view of requests received from the Gujarat Government additional allocation of 1,557 tonnes was made in July and 3,200 tonnes in August.

**Licences of kerosene oil issued to Scheduled Caste people**

3686. SHRI AMBESH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether some Scheduled Castes persons have recently been awarded licences for sale of kerosene oil; and

(b) if so, the number thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). Yes, Sir. Appointment letters to 6 Scheduled Caste/Scheduled Tribe candidates for Kerosene/IDO dealerships have been issued so far after 1-1-1974.

**Unauthorised occupation of Railway Land in Bihar**

3687. SHRI RAM SHEKHAR PRASAD SINGH. Will the Minister of RAILWAYS be pleased to state:

(a) whether some railway lands are under the unauthorised occupation of some persons for a long time in Bihar;

(b) whether Plot No. 15 to 24 are also under the unauthorised occupation in the Chapra District in Bihar; and

(c) if so, what action is being taken against this unauthorised occupation?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) to (c). There are some cases of railway lands under unauthorised occupation for a long time in Bihar. Necessary action is being taken to remove the unauthorised occupation under the provisions of the Public Premises (Eviction of Unauthorised Occupants) Act. However, plot Nos. 15 to 24 at Chapra Jn. Station are not unauthorisedly occupied. They have been properly licensed to Smt. Maharaji Devi and Shri Anooprai for the year 1974.

**Arrest of NCCRS leaders of Asansol under MISA during and after Railway Strike**

3688. SHRI ROBIN SEN. Will the Minister of RAILWAYS be pleased to state:

(a) whether Government are aware that seven NCCRS leaders of Asansol on Eastern Railway have been arrested under MISA during and after calling off the last rail strike; and

(b) whether Government propose to take up the matter with the Government of West Bengal to secure their release?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). Government do not recognise NCCRS, and action is taken against Railway Staff in the light of their activities as Railway Servants and not in their capacity as leaders of any particular group. In case of arrests made under various enactments, law has to take its course.

**Permanent and casual workers dismissed in Asansol Division**

3689. SHRI ROBIN SEN: Will the Minister of RAILWAYS be pleased to state:

(a) the number of permanent and casual workers dismissed in Asansol Division in Eastern Railway during and after the last Railway strike; and

(b) whether Government are considering to reinstate them?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Number of staff dismissed or removed from service, and casual labour discharged were as under:—

(i) Dismissed or removed from service—252

(ii) Casual labour discharged —210

(b) (i) Number taken back out of a(i)— 23

(ii) Number taken back out of a(ii)—Nil

**Condition imposed on Drug Firms for Sales of Bulk Drugs**

3690. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state.

(a) whether Government propose to re-examine the condition imposed on organised Indian sector of the pharmaceutical industry for compulsory manufacture of bulk drugs on joint sales of Rs. 2 crore *vis-a-vis* the facilities offered to foreign drug manufacturing firms in India;

(b) have Government made and exceptions in this regard during the last six months; and

(c) if so, the names of the firms and other particulars in this connection?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No such condition exists in the Industrial Licensing Policy. According to the Industrial Licensing Policy of February, 1973 the drugs and Pharmaceutical Industry has been included in the list of Industries, for which foreign majority companies and companies belonging to large houses are eligible for participation. Proposals of investments from such companies are considered in accordance with the guidelines on dilution of foreign equity with special reference to technological aspects, export possibilities and their overall effect on the balance of payments.

For self-reliance in the field of drugs and pharmaceuticals, it is essential

that production of bulk drugs is increased. Indian companies having substantial turnover are also expected to contribute their efforts towards the manufacture of bulk drugs. Applications for industrial licence are considered on merits within the framework of Industrial Licensing Policy in force from time to time.

(b) and (c) Do not arise.

**Supply of Raw Materials to Small Drug Industries**

3691. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state.

(a) what is the present supply position of raw materials to the small scale drugs industry, particularly of pooled and canalised items, and

(b) whether there are any set guidelines for supplying raw materials to small scale sector?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) STC and IDPL distribute bulk drugs and drug intermediates canalised for import to the drug and pharmaceutical units in the country as per their entitlements. Due to the recent petroleum crisis, not only did the prices of drugs in the world market increase, but availability of some of them also became difficult. Even so, out of 36 drugs and drug intermediates imported by STC and distributed by STC or IDPL, full quantity according to entitlements for 1973-74 has been made available to the various drug manufacturing units except in case of Vitamin B6, Tetracycline HCL, Sulphaguanidine and Phenobarbitone. As regards entitlements for 1974-75, adequate releases have been made of some of the drugs and in other cases while some supplies have been received and released in the remaining other cases including Phenobarbitone and Sulphaguanidine supplies are expected shortly, so that shortage is expected to be relieved soon. Even in case of Vitamin B6 some supplies have been arranged though a considerable gap remains to be covered for which efforts are continuing.

(b) Yes, Sir.

The following guidelines for supply of raw materials are observed: -

(i) units having turn-over not exceeding Rs. one crore are allowed canalised raw materials on the basis of best of past 2 years consumption plus 30 per cent towards growth;

(ii) units having turn-over of Rs one crore or above are allocated canalised rawmaterial on the basis of best of past 2 years' consumption plus 15 per cent towards growth

**Difference on Guidelines for Pharmaceutical Industry**

3692. SHRI D. N. SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what are the guidelines for Pharmaceutical Industry given by the Ministry of Industry and what are those given by his Ministry; and

(b) what are the differences between the two and reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). The publication "The Guidelines for Industries, 1974-75" has been issued by the Ministry of Industrial Development as a source of information on approval systems and procedures connected with the setting up of industrial units as well as on the present status and future prospects for the particular industries. The guidelines issued to the drug industry by the Ministry of Petroleum and Chemicals concern interim price revision of formulations and a copy of the same is laid on the Table of the House. [*Placed in Library. See* No. LT-8304/74].

**Suggestion of I.D.M.A. regarding Growth of Indian Pharmaceutical Industry**

3693. SHRI D. N. SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the suggestions made by I.D.M.A. for the growth of Indian pharmaceutical industry; and

(b) the reaction of Government to each suggestion?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN). (a) and (b). The suggestion made by Indian Drugs and Manufacturers Association are indicated in the statement laid on the Table of the House. [*Placed in Library. See* No. LT-8305/74].

Foreign majority companies and branches and subsidiaries of foreign companies have been operating in the field of drugs and pharmaceuticals since long. The majority production of drugs is, however, no longer by such companies as it has been Government's policy to encourage the Indian sector. The steps taken by Government to regulate the share of foreign companies in this field and also to build up the Indian sector of the industry are:—

(i) The Indian sector of the industry is given preference in the approval of manufacturing schemes;

(ii) Manufacture of increasing number of bulk drugs through public sector undertakings;

(iii) Industrial licences are usually not issued to foreign firms for production of formulations unless linked with the production of bulk drugs;

(iv) They are asked to take up the production of bulk drugs from more basic stages and to make available a suitable portion of their bulk drugs production to non-associated formulators in the country as a condition for being permitted expansion in capacity or for taking up new activity;

(v) Appropriate export obligations are imposed as a condition for permitting expansion in capacity or for taking up new activity;

(vi) Progressive reduction of foreign equity participation with corresponding increase in the Indian shareholding is imposed when they are allowed expansion of their manufacturing activity. Activities of foreign companies are also covered under the Foreign Exchange Regulation Act.

(vii) Undertakings with an annual turnover not exceeding Rs. 50 lakhs have been exempted from the operation of certain provisions of paragraphs 9, 10 and 13 of the Drugs (Price control) Order, 1970 regarding prior approval of Government for fixing/revising the prices of drug formulations.

Government have on 8-2-1974 appointed a Committee on Drugs and Pharmaceutical Industry under the Chairmanship of Shri Jaisukhlal Hathi one of whose terms of reference is as follows:—

(iii) "To make recommendations for promoting the rapid growth of the drugs industry and, particularly, of the Indian and small scale industries sector. In making its recommendations the Committee will keep in view the need for a balanced regional dispersal of the industry".

**Guidelines for Drugs and Pharmaceutical Industry**

3694. SHRI D. N. SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether suggestions made by Indian Drugs Manufacturers Association found place in the publication 'Guidelines for Drugs and Pharmaceutical Industry, 1973-74; and

(b) if not, the reasons for not incorporating these suggestions?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). The publication "Guidelines for Industries, 1973-74" brought out by Government explains the scope for licensing and the criteria which will govern the consideration of proposals in order to facilitate the entrepreneurs in arriving at appropriate investment decisions and does not contain the suggestions of any particular organisation as such.

**Benefits to Freedom Fighters in Railway Service**

3695. SHRI SAMAR GUHA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Government have extended any benefit to the freedom fighters who joined Railway services after Independence;

(b) if so, the facts thereabout;

(c) number of employees who received such benefits; and

(d) cases of freedom fighters for grant of extra benefits pending with the Railway authorities?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (b). Central Government servants, who were removed/discharged/dismissed from service on account of their patriotic activities or participation in the freedom movement and who were re-employed on Railways, have been allowed certain concessions in the matter of fixation of pay, leave, pension, seniority, promotion and confirmation etc. depending on merits of each case.

(c) and (d). Information is being collected and will be laid on the Table of the Sabha.

**Amendment of Commission of Inquiry Act**

3696. SHRI SAMAR GUHA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether Commission of Inquiry Act has been permitted to be amended in the manner suggested by the Government of West Bengal; and

(b) if so, facts thereabout?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): (a) Yes, Sir.

(b) The Government of West Bengal had forwarded the Commissions of Inquiry (West Bengal Amendment) Ordinance, 1974 for instructions of the President under article 213(1) of the Constitution before its promulgation. It was explained by the State Government that they proposed to appoint a Commission of Inquiry under the Commissions of Inquiry Act, 1952 for the purpose of making inquiry into the allegations of corruption, if any, made against Ministers of the Cabinet in relation to official work. In order that no one is allowed to make false and frivolous allegations before the commission and go unpunished, it was proposed by them to vest the Commission with powers to try in a summary way the offence of perjury and sentence the offender to imprisonment for a term which may extend to three months or fine which may extend to five hundred rupees or both. It was also proposed to vest the Commission with power to try summarily certain offences by public servants under certain section of the IPC.

**Increase in Prices of Soaps**

3697. SHRI BANAMALI BABU:
SHRI M. S. SANJEEVI RAO:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether prices of soaps have gone up by 100 per cent during the last one year; and

(b) if so, what steps Government propose to take to supply raw material to soap industry in order to bring down the prices of soaps?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). More than half of the soap production in the country is by the small scale sector on which there is no price control. In case of soaps produced by the organised sector except the premium grade toilet soaps, there is an informal price control whereby the Indian Soaps and Toiletries Makers' Association consult Government before making any upward revision in the prices.

In the year 1973 the following increases in the prices of soaps were permitted with effect from 20-7-1973 due to increase in the price of indigenous oils and imported fatty material:

| | | | |
|---|---|---|---|
| Toilet soap | (cake 100 gms) | — 11 | paise per cake. |
| Carbolic soap | (cake 150 gms) | — 9 | paise per cake. |
| Laundry soap | (cake 150 gms) | — 6 | paise per cake. |
| Laundry soap | | — 42 | paise per kg. |

No increase in prices of soaps has been allowed thereafter so far. It is, however, understood from M/s. Tata Oil Mills Co. Limited that they have increased the price of laundry soap (½ bar weighing 270 gms) from Rs. 1.28 to Rs. 1.50 with effect from 7th June, 1974. A representation submitted by the Indian Soap and Toiletries Makers' Association for increase in the soap prices due to increase in oil costs is being examined by Government.

There is no proposal under the consideration of Government to undertake the supply of raw materials to the soap industry.

**Employment to Children and Dependents of Loyal Workers during strike**

3698. SHRIMATI PREMILABAI CHAVAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether employment was promised to children and dependents of Railwaymen who did not take part in the last Railway strike; and

(b) if so, the number of persons so employed?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No. However, following an earlier announcement by the Minister of Railways in Parliament in the wake of a number of agitation and work stoppages on the Railways, that services of loyal staff would not go unrecognised, a decision was taken in February, 1974 to offer employment to sons or daughters of loyal railway employees to the extent of 20 per cent of the vacancies in initial recruitment grades.

(b) About 3,000 so far.

**Delay in Allotment of Gas Agencies to Ex-Servicemen**

3699. SHRI RANA BAHADUR SINGH: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether Government are aware that many cases of unreasonable delays

in granting permission to ex-servicemen or their dependents exist wherein even after completion of all formalities and heavy investment no gas cylinders are allotted to them; and

(b) if so, what steps have been taken to obviate this delay in procedure?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). No such specific case has come to the Government's notice. IOC has been making endeavours to commission the distributorships as soon as they are ready in all respects including the approval of Chief Controller of Explosives for godowns, etc. According to the Corporation, there has been no unreasonable delay in commissioning the dealerships once all the formalities are over.

**Production of Drugs by Foreign Drug Companies in Fourth and Fifth Plans**

3700. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state how many bulk drugs were being manufactured by foreign drug firms with more than 26 per cent equity during the Fourth Plan period and what are those proposed to be manufactured by them during the Fifth Five Year Plan firm-wise alongwith total annual turn-over?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): A statement indicating the name of the parties having more than 50 per cent foreign equity and names of the bulk drugs they were manufacturing during the Fourth Plan period ending 31st March, 1974 is laid on the Table of the House. [*Placed in Library See* No. LT-8306/74]. Similar information in regard to companies having foreign equity from 26 per cent to 50 per cent and firmwise turnover of bulk drugs is being collected and will be laid on the Table of the House.

No manufacturing proposals specifically referring to the Fifth Five Year Plan have been made by the drug manufacturing firms. Particulars of industrial approvals issued are published in the "Weekly Bulletin of industrial licences, import licences and export licences" copies of which are made available to the Parliament Library.

**Guidelines for Industrial Licences**

3701. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state whether there are internal guidelines of his Ministry for recommending industrial licences without consulting DGTD, DGHS or Cabinet Secretariat and if so, the broad outlines of these guidelines?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): No, Sir.

**Demand for increase in Royalty for Crude produced in Gujarat and Assam States**

3702. DR. H. P. SHARMA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the State Governments of Gujarat and Assam have asked for increasing the royalty for the crude extracted from the oil-fields in these States:

(b) if so, the main features of their proposals; and

(c) Government's decision thereon?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). The Government of Assam has suggested that the royalty rate should be increased to Rs. 30 per tonne. The Government of Gujarat has suggested revision of royalty rates on an *ad volorem* basis related to the full posted price. No final decision has yet been taken.

**Cut in Railways Plan for contribution to Transport Corporations**

3703. DR. H. P. SHARMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether Planning Commission has drastically cut the provision in the Railways Plan for contribution to Transport Corporations releasing only Rs. 3 crores against the proposal for Rs. 10 crores, if so, the reasons assigned for this cut; and

(b) the reaction of the State Governments to this cut and the steps taken by the Railways to meet the demands of the State Transport Corporations?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Due to severe constratint on resources it has been possible to allocate Rs. 272 lakhs as against the demand of 1764.46 lakhs for contribution in the State Road Transport Corporations during 1974-75.

(b) The State Governments are pressing for release of Central Govt (Railway's) share of contribution to match the contribution made by them but contribution is being made on pro-rata basis on the funds available.

**Fast Trains suspended in Rajasthan due to shortage of Coal**

3704. DR. H. P. SHARMA: Will the Minister of RAILWAYS be pleased to state:

(a) whether a number of fast moving trains had been suspended in Rajasthan region owing to shortage of coal;

(b) if so, the particulars thereof and which of them have since been restored; and

(c) the time by which all the train services will be restored?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) Yes.

(b) Three pairs of fast moving trains (mail and express) were suspended and all these have since been restored. The particulars are given below:—

| No. & particulars of trains | Date of cancellation | Date of restoration |
|---|---|---|
| 1. 5/6 Agra Fort-Ahmedabad Express . | 19-1-74 | 4/5-6-1974 |
| 2. 97/98 Jodhpur-Barmer Express. . | 19-11-1973 | 14-6-1974 |
| 3. 89/90 Bikaner Express. | 22/23-1-74 | 20-6-1974 |

(c) The other passenger trains required which are still remaining suspended will be progressively restored as coal position improves.

**Employees Working in Canteen of Railway Workshop, Mysore South**

3705. SHRI S. M. SIDDAYYA: Will the Minister of RAILWAYS be pleased to state:

(a) the number of employees working in the canteen attached to the Railway workshop, Mysore South, Mysore and how many employees out of them belong to the Scheduled Castes and Scheduled Tribes;

(b) whether any vacancies were reserved for Scheduled Castes and Scheduled Tribes and whether applications were called for to fill up these reserved vacancies; and

(c) if not, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI): (a) There are 23 employees working in the canteen. None of them belong to Scheduled Castes or Scheduled Tribes.

(b) No.

(c) The canteen is run by a Staff Committee and the Railway recruitment rules are not applicable.

**Pay Scales of Canteen Employees of Railway Workshop, Mysore South**

3706. SHRI S. M. SIDDAYYA: Will the Minister of RAILWAYS be pleased to state:

(a) whether the employees of the canteen attached to the Railway workshop, Mysore are the lowest paid in the entire Southern Railway;

(b) what are the pay scales of these employees as compared to the pay scales of the employees in the canteens in Golden Rock, Perambur and Podanur in Southern Railway;

(c) why this difference in scales of pay is still allowed to continue; and

(d) what steps Government propose to take in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD SHAFI QURESHI): (a) No.

(b) A statement is laid on the Table of the House [*Placed in Library. See* No. LT-8307/74].

(c) and (d). The staff canteens at the various Railway Workshops are generally run by the Co-operative Societies or the Staff Committees and not departmentally. The scales of pay of these canteens are fixed by these bodies—they being the actual employers—keeping in view any State Government rules on the subject. Hence it is not possible to maintain a uniformity in scales of pay of such canteens.

**Application from A.P. Government for setting up of a Caustic Soda Plant**

3707. SHRI Y. ESWARA REDDY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Central Government has received an application from the Andhra Pradesh Government in October, 1973 for allowing them to set up in Srikakulam district a plant for the manufacture of caustic soda of the capacity of 100 tonnes per day with the capital outlay of Rs. 850 lakhs;

(b) if so, broad outlines of the Central Government's decision on it; and

(c) whether Government have taken into consideration the special significance of caustic soda industry in Andhra Pradesh as Andhra has basic raw material for the manufacture of caustic soda?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c) An application for industrial licence for the establishment of a new undertaking for the manufacture of Caustic soda with a capacity of 30,000 tonnes per annum, without indication of location, involving investment of Rs. 6 crores on fixed assets submitted by Andhra Pradesh Industrial Development Corporation Ltd, Hyderabad is under consideration.

**कोयले की कमी के कारण रेलवे को हुई हानि**

3708. श्री महा दीपक सिंह शाक्य : क्या रेल मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कोयले के अभाव के कारण रेलवे सेवा को कठिनाइयां हो रही हैं तथा सामान्यत: पूरी गाडिया नही चलाई जा रही ह ; और

(ख) यदि हां, तो रेल सेवा द्वारा प्रतिदिन कितना कोयला खर्च किया जाता है तथा रेल सेवा में सामान्य स्थिति लाने के लिये सरकार ने क्या कार्यवाही की है ?

रेल मंत्रालय में उपमंत्री (श्री मुहम्मद शाफी कुरेशी ) : (क) जी हा।

(ख) वर्तमान में औसतन कोयले खपत प्रतिदिन लगभग 39500 मीटरिक टन है। रेलों के सामान्य-सेवा-संचालन के लिये इंजन कोयले की सप्लाई में सुधार लाने के लिये, कोयला उत्पादक अधिकारियों से निकटतम समन्वय बनाये रखा जा रहा है।

**Shaw Wallace & Company**

3709. SHRI INDRAJIT GUPTA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether some Managing Directors of M/s. Shaw Wallace and Company are getting higher remunerations than the President of India;

(b) whether the face value of foreign holdings in the Company has been inflated by liberal issue of Bonus shares;

(c) what action Government have taken on the findings of the Company Law Board regarding this firm's fraudulant activities; and

(d) whether there is any proposal to further Indianise the management of this Company?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) M/s. Shaw Wallace and Company at present is being managed by two Managing Directors and one Whole-time Director namely Mr. A W. B. Hayward, Shri S. P. Acharya and Shri M. K. Kumar. Mr. A W. B. Hayward is being paid @ Rs 10,000 per month plus a share in the commission of 5 per cent on the net annual profits of the company payable to Managing and Whole-time Directors in proportion to their salaries provided that his remuneration by way of salary and commission shall not exceed Rs. 1,75,000 per annum plus perquisites as per guide-lines issued by the Central Government. Shri S. P. Acharya, the other Managing Director is being paid @ Rs. 7,000 per month plus 1 per cent commission on the net profits of the company subject to a maximum of Rs. 41,000 per annum plus perquisites as per guide-lines. Shri M. K. Kumar, the Whole-time Director is being paid @Rs. 7,000 per month plus perquisites as per the guide-lines.

(b) As per Balance Sheet as at 31st December, 1973, the equity share capital of M|s. Shaw Wallace and Company Limited is Rs. one crore of which Rs 25 lakhs is by way of capitalisation of reserves for which permission was given under the Capital Issues Control Act on 16th November, 1966. Proposal for capitalisation of reserves to the extent of Rs one crore has been received in the office of the Controller of Capital Issues, Department of Economic Affairs, Ministry of Finance and is under consideration.

(c) The Company Law Board has passed an order under section 408(1) of the Companies Act, 1956, on 28th May 1973, appointing 2 Directors on the Board of the company for a period of 3 years Earlier, the Government had also passed an Order on 18th December, 1972 under Section 250(4) of the Act prohibiting transfer of shares held by R. G. Shaw and Company Ltd, Shaw Derby and Company Ltd, Shaw Scott and Company Ltd., and Thames Rice Milling Company Ltd. in M|s. Shaw Wallace and Company Ltd., for a period of three years with effect from 18th December, 1972;

(ii) information has been sent to the Income tax Department and Enforcement Directorate;

(iii) the Regional Director has been instructed to take up certain contraventions of Companies Act with the company.

(d) No, Sir.

**Nylon Filament Yarn Project**

3710. SHRI Y. ESWARA REDDY: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether the Central Government have received a letter from the Andhra Pradesh Industrial Corporation asking for detailed aspects of the Nylon Filament Yarn Project at Tripatki, Chittoor District which is a notified backward area;

(b) whether the Central Government have taken a favourable view of F.I.B. and C.G. applications so that the project makes further progress: and

(c) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN). (a) The Central Government have received a letter from the Andhra Pradesh Government in July 1974, detailing various steps taken by the Corporation, in connection with the setting up of a Nylon Filament Yarn Project, at Tirupati, Chittoor District, Andhra Pradesh

(b) and (c). Certain important aspects like the overall development of nylon yarn industry in the country, and the need for import of foreign technology for nylon plants are under examination in the light of various relevant factors.

In view of this, a decision has not yet been taken on the F.I.B. and C.G. applications

**Setting up of Wheel and Axle Plant in the Country**

3711. PROF NARAIN CHAND PARASHAR: Will the Minister of RAILWAYS be pleased to state:

(a) whether the Wheel and Axle Plant is proposed to be set up by the Indian Railways during the current fiancial year;

(b) if so, the location of the plant and the likely cost of the plant; and

(c) the likely date by which the plant would be set up?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) and (c) Yes. The work will be undertaken during the current financial year. It would take about 5 years to set up the Plant.

(b) The Wheel & Axle Plant is to be located at Yelahanka in Karnataka State and the cost of setting up the plant is expected to be about Rs. 21 crores.

**Proposals for producing Foot and Mouth Vaccine**

3712. SHRI P. M. MEHTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the names of the firms whose proposal for the maufacture of foot and mouth Vaccine has been approved recently indicating the capacity and value in each case;

(b) the estimated demand for these items during the Fifth Five Year Plan and whether it is proposed to allow foreign firms to manufacture them in the context of this demand; and

(c) whether this know-how is available with the Indian firms and if so, the necessity of giving this permission to foreign firms?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Names of he firms, who have been granted letters of intent for the manufacture of Foot and Mouth

Disease Vaccine with capacity granted and value are given below:—

| Sl. No. | Name of the firm | Capacity approved | Estimated Value |
|---|---|---|---|
| 1. | Hoechest Pharmaceutical | 10 million doses | Rs. 50 million |
| 2. | Pfizer Limited | 4 million doses | Rs. 20 million |
| 3. | Bhartiya Agro Industries Foundation | 3.2 million doses quadrivalent doses | Rs. 25.6 million |

(b) 15 million doses. There is no further proposal at present for the manufacture of Foot and Mouth Disease Vaccine by any foreign company.

(c) The applications of the units were considered with a view to meet the 5th Plan requirements of Foot and Mouth Vaccine. No proposal from any Indian company has been received after grant of letters of intent to the 3 parties mentioned in reply to part (a) of the question.

**Industrial Licences Issued to M/s. and Baker and Cynamide for producing certain Drugs**

3713. SHRI P. M. MEHTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what is the approved|blanket capacities granted under permission letters to M|s. Sandoz, May and Baker and M|s Cynamide and what are the industrial licences issued to these parties indicating the particulars about capacity of each item given in the application for Registration Certificate in 1952 and List of similar items manufactured by Indian firms; and

(b) what is the total turn-over of the items based on permission letters issued to the above firms, item-wise, and what is the amount of foreign exchange spent in Fourth Five Year Plan by way of import of raw materials, dividends and asset formulation on the basis of permission letters?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Details of industrial licences, permission no objection letters with the name of items and capacity approved in favour of M/s. Sandoz (India) Ltd M/s. May and Baker Ltd. and M/s. Cynamid (India) Ltd. are given in the statement laid on the Table of the House [Placed in Library. *See No. LT-8308/74*]. M/s. Sandoz (India) Ltd., Bombay do not hold any registration certificate for the manufacture of Drugs and Pharmaceuticals. Information regarding details of registration certificates granted to M/s. May and Baker, and Cyanamid (India) Ltd., with name of items, capacity and name of Indian firms manufacturing similar items is being collected and will be laid on the Table of the House.

(b) It is not possible to indicate the turnover, import of raw materials during the Fourth Five Year Plan, dividends remitted for items covered under permission/no objection letters as distinguished from production covered under licences as details of production and other particulars of individual formulations are not maintained. As permission/no objection letters were granted subject *inter alia* to the condition that no additional plant and machinery would be required for the purpose, instances of asset formulation due to permission/no objection letters have not come to the notice of Government.

**Difficulties of Timber Dealers of Kerala (Malabar) for want of Booking Opportunities**

3714. SHRI C. K. CHANDRAPPAN: Will the Minister of RAILWAYS be pleased to state:

(a) whether the attention of Government has been drawn by the Malabar Chamber of Commerce to the difficulties the timber dealers are facing for want of booking opportunities to Byculla by rail from Calicut, Kallai, West Hill and Ferobe Railway Stations in Kerala;

(b) if so, salient features thereof; and

(c) steps taken by Government to solve the problems?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No

(b) and (c). Do not arise.

**Places Selected for setting up of Coal based Fertilizer Units**

3715. SHRI S. R. DAMANI: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the conditions necessary in an area for its selection for setting up coal based fertilizer unit;

(b) whether studies have been made about the costs of coal based units at a given capacity and if so, the salient features thereof; and

(c) how do they compare with units based on other raw materials?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Decisions regarding the location of a coal based fertilizer plant are based upon considerations which *inter alia* include the proximity of the site to coal deposits, the extent of development of the coal mines, availability of infrastructure and transport facilities and proximity to consuming centres.

(b) The feasibility studies made on coal-based fertilizer plant have shown that a plant of a capacity of 900 tonnes of ammonia per day could give a reasonable return on investment.

(c) In the present context of steep increase in the price of petroleum feedstocks, the cost of production of fertilizer from a coal based plant compares favourably with that from a plant based on liquid petroleum feedstock.

**भारतीय उर्वरक निगम के कुछ अधिकारियों के विरुद्ध केन्द्रीय जांच ब्यूरो की जांच**

**3716. श्री श्रीकिशन मोदी :** क्या पैट्रोलियम और रसायन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या भारतीय उवरक निगम के कुछ अधिकारियों के विरुद्ध केन्द्रीय जांच ब्यरो ने जांच की है ;

(ख) यदि हां, तो क्या उपरोक्त मामलों में 93 अधिकारियों को दोषी पाया गय तथा उन्हें विलम्बित किया गया ; और

(ग) क्या उनके खिलाफ मुकद्दमें चलाये जायेगें और यदि नहीं, तो इसके क्या कारण हैं।

**पेट्रोलियम और रसायन मंत्रालय में राज्य मंत्री (श्री शाहनवाज खां ) :**

(क) से (ग) सूचना एकत्र की जा रही है तथा सभा पटल पर प्रस्तुत की जायेगी।

**Permission Letter Issued to M|s. May and Baker for Metranidazole**

3717. SHRI K. S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 1839 on the 5th March, 1974 regarding discontinuance of the Practice to issue permission letters and state:

(a) whether M/s. May and Baker was issued Metranidazole permission letter in 1968;

(b) if so. why it has been stated in the reply to the question dated 5th March, 1974 that permission letter for manufacture of drugs have not been issued since 1965; and

(c) when it was converted into a COB licence?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) M/s. May and Baker were allowed in 1968 to take up the manufacture of bulk Metranidazole in accordance with the liberalisation policy as indicated in the Ministry of Industry Press Note dated 27-10-1966.

(b) The letter was in the context of the diversification policy in force during the period and is not a permission/no objection letter issued in pursuance of the decision of the Licensing Committee taken in 1953.

(c) They were issued a C.O.B licence on the 6th July, 1971.

**Raw Material required by M|s. May and Baker for Producing Metronidazole**

3718. SHRI SATYENDRA NARAYAN SINHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state.

(a) the value of imported raw materials required by M|s. May & Baker for Metronidazole;

(b) the C.I.F. price if the bulk drug itself is imported;

(c) the licensed capacity of May & Baker for this item and what was the production during the Fourth Five Year Plan period; and

(d) whether they are producing it for captive consumption for manufacture of a formulation and whether they are producing it under I.D.R. Notification of 27th May, 1969, if not, why no action is being taken against the firm?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Imported raw material of the value of Rs. 74.5 c.i.f. per kg. (1973 price) production of Metronidazole, are required.

(b) Import price c.i.f. per kg. of Metronidazole (import statistics 1972-73) is Rs. 133.20.

(c) Licensed capacity of M/s. May and Baker for Metronidazole is 602 kg. p.a. Production of Metronidazole during the five years ending 1973 was as follows:—

| | |
|---|---|
| 1969 | 152 kgs. |
| 1970 | 602 kgs. |
| 1971 | 5941 kgs. |
| 1972 | 6922 kgs. |
| 1973 | 7645 kgs. |

(d) The party are utilizing their production of Metronidazole for captive consumption and for exports in bulk form or in the form of formulations. Ministry of Petroleum and Chemicals and Mines and Metals Notification dated the 27th May, 1969 does not apply to the manufacture of bulk drugs.

The question of excess production including that by May and Baker Ltd. is being examined by Government for taking suitable action.

**Recommendations of the Grover Committee on Production of Foreign and Indian Drug Firms**

3719. SHRI SATYENDRA NARAYAN SINHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the main recommendations of the Grover Committee which visited Bombay and other places to find out

the details of drugs and pharmaceutical production by foreign and Indian firms; and

(b) whether the material and references received by the Committee will be placed in Parliament Library for reference by Members?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) A team of officers consisting of the representative of DGTD and this Ministry visited Bombay in February, 1973 to collect information in connection with unauthorised capacity for formulations and bulk drugs existing in the D.G.T.D. units and import requirements thereof. Information received from various units is being utilised by the Government. There was no Grover Committee, as such.

(b) Does not arise

**Applications to Licensing Committee for production of drugs**

3720. SHRI SATYENDRA NARAYAN SINHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) how many industrial applications for drugs and pharmaceuticals were received by S.I.A. and pre-S.I.A. and how many of them are pending, firm-wise and product-wise;

(b) how many applications were taken to the Licensing Committee and whether the decisions thereon were communicated to the firms concerned or not;

(c) is it a fact that administrative Ministry is applying a break on the Indian firms, in particular, to the benefit of established foreign firms in our country; and

(d) if not, the particulars of the formulations held by foreign firms and their value, product-wise?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) During the period 1st January, 1973 to 30th November, 1973, 100 applications were received under Pre-S.I.A. and from 1st November, 1973 to 31st July, 1974, 58 applications were received under S.I.A. Details of pending applications from 1st January, 1973 upto 31st July, 1974, firmwise and product-wise are given in the statement laid on the Table of the House. [*Placed in Library. See* No. LT-8309/74].

(b) Out of 158 applications received between 1st January, 1973 to 31st July, 1974, 133 have already been sent to the Licensing Committee and 6 were withdrawn by the applicants/treated as closed. Decisions on 83 applications have been communicated to the concerned applicants.

(c) No Sir

(d) As no capacities for individual formulations have been granted in the registration certificate, and permission/no objection letters have also been issued with or without specifying any capacity for individual formulations, it is not possible to indicate the value of formulations held by foreign firms product-wise. Certain industrial licences have also been issued for the manufacture of formulations within the overall licensed/approved capacity.

**वृद्ध-विवाह के लिए अधिकतम आयु सीमा**

3721. श्री बनशाह प्रधान : क्या विधि, न्याय और कम्पनी कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार वृद्ध-विवाह के लिये पुरुषों और महिलाओं दोनों की कानूनी अधिकतम आयु सीमा निर्धारित करने का है, और

(ख) यदि हां, तो तत्संबंधी मुख्य बातें क्या है

विधि, न्याय और कम्पनी कार्य मंत्रालय में राज्य मंत्री (श्री नीतिराज सिंह चौधरी ) :

(क) जी नहीं।

(ख) प्रश्न नहीं उठता।

**Observes deputed to supervise bye-election to Dindigul Constituency in 1973**

3722. SHRI VIJAY PAL SINGH: Will the Minister of LAW, JUSTICE A D COMPANY AFFAIRS be pleased to state:

(a) whether the Election Commission deputed a large number of observers to supervise the poll in bye-election to the Dindigul Parliamentary Constituency held in 1973;

(b) whether all of observers belonged to the same region;

(c) the total number of the observers and the reasons for sending such a large number of observers;

(d) the designations of all the officers deputed for the purpose;

(e) whether some of them proceeded on leave immediately after the poll was over;

(f) whether such a large contigent was ever sent before or after this occasion to observe and supervise any other bye-election; and

(g) the total expenditure incurred by the Election Commission for sending these observers to Dindigul?

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITIRAJ SINGH CHAUDHARY): (a) The poll in the bye-election from 23-Dindigul Parliamentary constituency in Tamil Nadu, on 20th May, 1973, was supervised by the Chief Election Commissioner, assisted by a Deputy Election Commissioner and a team of Officers from the Secretariat of the Election Commission.

(b) No, Sir.

(c) The team consisted of six officers, one for each of the six assembly segments of the parliamentary constituency. Requests were received by the Election Commission from several national and State parties and Members of Parliament to supervise the poll in the bye-election, as it was apprehended that there would be a good deal of coercion and intimidation and large-scale impersonation.

(d) One Secretary, 2 Under Secretaries and 3 Section Officers.

(e) Two of the Officers took casual leave for a few days after the bye-election was over.

(f) The Election Commission had sent observers to supervise the poll in respect of other elections and bye-elections both before and after this occasion, the strength of the teams depending upon the requirements of each situation.

(g) Rs. 3643 by way of Travelling allowance and Daily allowance.

**Railway lines for hilly and backw areas**

3723. SHRI VARKEY GEORGE: Will the Minister of RAILWAYS be pleased to state:

(a) whether Kerala comes under scheme of construction of Railway Lines in Hilly and Backward areas sponsored by Government;

(b) if not, whether Government propose to reconsider its decision for inclusion of Kerala in this scheme; and

(c) the total coverage of kilometres and the approximate amount of expenditure Government propose to spend?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI). (a) Yes.

(b) Does not arise.

(c) The following surveys/projects are in progress falling partly or wholly in the State of Kerala.

(i) Traffic Survey for a Broad Gauge link from Kayankulam to Ernakulam via Alleppey carried out in 1970 has revealed that the link of length 97.0 km will cost Rs. 10.0 crores and would be highly unremunerative. The line has been included in the list of new railway lines proposed to be taken up in the 5th Five Year Plan for development of backward areas subject to the allotment of additional funds for this purpose by the Planning Commission.

(ii) A Preliminary Engineering-cum-Traffic Survey for a rail link (56 kms.) from Kattipuram to Trichur via Guruvayoor has recently been sanctioned at a cost of Rs. 86,421. Further consideration to the proposal shall have to await till the survey reports are received and examined.

(iii) The work is also in progress for the conversion of M.G. to B.G. (220 kms.) from Ernakulam to Trivandrum and is expected to be completed by 1976--cost Rs. 13.60 crores.

(iv) A Broad Gauge rail link from Trivandrum to Tirunelveli via Nagercoil with a branch line to Kanyakumari (164 kms.) falling partly in the state of Kerala has been sanctioned at an estimated cost of Rs. 14.53 crores. The work is in progress and is likely to be completed by 1976-77

**Supply of sub-standard oil to Defence Department and Ordnance Factories**

3724. SHRI MADHU LIMAYE: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Government's attention has been drawn to press reports in a local daily dated 17th June, 1974 about the supply of defective or sub-standard oil to our Defence Department, including the navy and ordnance factories,

(b) whether the responsibility of the officers who lowered specifications in regard to viscosity has been fixed and whether they have been proceeded against; and

(c) if not, the reasons for condoning their anti-national act and appointing one of the officers involved to three different posts?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Yes, Sir.

(b) and (c). Efforts to increase the viscosity of furnace oil marketed in the country were made in the overall national interests. Supply of high viscosity oil to the Navy was however made inadvertantly in a few isolated cases due to some operational difficulties and immediate action was taken to avoid recurrence. There has been no suspicion nor any indication from the other concerned Ministries of anyone engaged in these efforts having committed any anti-national act. On the other hand, IOC's efforts during the period of conflict with Pakistan and the devotion to duty with which its officers and men maintained the supplyline of essential petroleum products to the forward areas has been commended by the Defence authorities. The question of fixing any responsibility on officers involved in these efforts does not therefore arise.

**Golcha Properties Limited**

3725. SHRI BISHWANATH JHUNJHUNWALA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state

(a) whether the income from the assets under the liquidator of the

Golcha Properties Ltd. are showing steady increase as compared to the figures for the last two years and if so, to what extent

(b) the total accumulated money with the liquidator; and

(c) the break-up of the liabilities that are to be paid?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): (a) to (c). The required information is being collected and will be laid on the table of the House.

**Industrial licences given to M/s. Hoechst John Wyeth and May and Baker**

3726. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) the number of the industrial licences granted to M|s. Hoechst, John Wyeth and May and Baker during the last three years for the import of Capital goods raw materials;

(b) how many applications for import licences from each of these firms are pending and how many have been rejected during the last three years; and

(c) what steps Government propose to take to stop their unauthorised production?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). Information is being collected and will be laid on the Table of the House.

(c) The entire question of excess production of drugs including that by M/s. Hoechst, John Wyeth and May and Baker is being examined in the light of country's requirements.

**Contravening of conditions of license given to M/s. Pfizers**

3727. SHRI BHALJIBHAI PARMAR: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) whether M|s. Pfizers contravened the conditions of licences issued to them in respect of installed capacity;

(b) the broad outlines of the factors on which the Licensing Committee granted second expansion to M|s. Pfizers, the conditions envisaged therein and how far they have been complied with by the firm; and

(c) what action Government have taken or propose to take against this firm for non-compliance of the conditions?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) M/s. Pfizers have been producing Tetracyclines in excess of their licensed capacity except for the years 1961, 1967-68 and 1968-69. Similarly they exceeded their capacity in respect of Chlorpapamide.

(b) and (c). The licensing committee approved the grant of second expansion of M/s. Pfizers' plant on the following conditions:—

(i) At no stage the plant would be capable of producing more than 14000 Kgs. per anum of tetracyclines;

(ii) Production in excess of ten tonnes of tetracyclines shall be exported, unless Government by prior approval give permission to sell any part of it in the country; in the first year four tonnes must be exported;

(iii) Irrespective of the actual quantity of tetracyclines exported from the second year onwards, as above, a total of Rs. 15 lakhs annually must be exported as an average over five years of tetracyclines and other items of

pharmaceuticals. This export of Rs. 15 lakhs should be over and above the current level of export;

(iv) The commitment to export 25 per cent of the initial capacity of ten tonnes of tetracyclines, in value, remains. There would, however, be no objection to the export of tetracycline and other items of pharmaceuticals provided the total value of 2500 Kgs., of tetracyclines will be calculating factor.

The company have not executed any bond with regard to their export obligation so far although they have been exporting substantial quantities of tetracyclines during the years. Instructions have been issued to the party to execute an export bond valid upto 1978 extendable by 5 years at the option of the Government.

Government are examining the entire issue concerning production in excess of licensed capacities, keeping in view the country's requirements.

**Licensed capacity of Sandoz for producing certain drugs**

3728. SHRI P. M. MEHTA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state:

(a) what is the total licensed capacity of Sandoz for the manufacture of liquids and what is its actual production, separately for Sentivini and other items during the last three years, year-wise;

(b) how many Indian firms are manufacturing similar formulations in the country indicating their names, products and capacities; and

(c) have Government initiated penal action against Sandoz for unauthorised over-production?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) Details of approved capacity of M/s. Sandoz (India) Ltd., for liquids and production during the last three years is indicated below:—

(Figures in Litres)

| S. No. | Category | Total approved Capacity | Total Production | | |
|---|---|---|---|---|---|
| | | | 1971 | 1972 | 1973 |
| 1 | Liquids (orals) | 2,13,000 | 2,16,622 | 6,05,943 | 6,34,708 |

Since Sentivini was licensed for manufacture within the overall licensed capacity no separate figures for production of liquids (oral) itemwise is available.

(b) More or less similar formulation to Sentivini are being manufactured in the country by a large number of Indian units in the organised sector and small scale sector. Details regarding name of the product and capacities approved in favour of some of the Indian units in the organised sector are indicated in the attached statement. As small scale units are not required to obtain industrial licence under the I.D.R. Act, details of their products, capacity etc. are not available.

(c) The question of excess production including that by M/s. Sandoz (India) Ltd. is being examined by Government for taking suitable action.

*Statement*

| Sl. No. | Name of the Company | Name of the item | Approved Capacity per annum |
|---|---|---|---|
| 1 | M/s. Hoechst Pharmaceuticals | Vitahext | 2 lakh litres |
| 2 | M/s. Indo. Pharma Pharmaceutical Works (P) Ltd. | Tonic Indon. | Capacity to be fixed after two years on the basis of production performance. |
| 3 | M/s. Raptakos Brett & Co. Ltd. | (i) Elixir Eupeptine | 72000 litres |
| | | (ii) Neogadine (Elixir & S. G.) | 3,45,600 litres |

| Sl. No. | Name of the Company | Name of the Item | Approved Capacity per annum |
|---|---|---|---|
| 4 | M/s. Sarabhai Chemicals Pvt. Ltd. | Phosphomin | N.A. |
| 5 | M/s. Ranbaxy Laboratories Ltd. | Ranferron | N.A. |
| 6 | M/s. Rallis India Ltd. | T.C.F. Tenophos Liquid | Capacity to be fixed after two years on the basis of production performance. |

**Licences issued to foreign drug firms with more than 26 per cent foreign equity**

3729. SHRI K S. CHAVDA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) how many new licences have been issued including C O B or recommended after the establishment of the Committee on Drugs and Pharmaceuticals by the Ministry; and

(b) how many of them were rejected by the Licensing Committee and how many approved, the particulars of these approved, firm-wise, capacity-wise and trade-name-wise?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) and (b). Details of industrial licences/letters of intent incorporating items of manufacture and capacity issued to various units upto 31-7-1974, after the constitution of a Committee on Drugs and Pharmaceuticals Industry on 8-2-1974, are given in the statement laid on the Table of the House. [*Placed in Library. See No.* LT-8310/74].

Of the 87 cases sent by this Ministry to Secretariat for Industrial Approval, between 8-2-1974 to 31-7-1974 18 have been rejected by the Government.

**Manufacture of Formulations by some firms**

3730. SHRI SATYENDRA NARAYAN SINHA: Will the Minister of PETROLEUM AND CHEMICALS be pleased to refer to the reply given to Unstarred Question No. 6177 on the 9th April, 1974 re: manufacture of formulations by some firms and state:

(a) the names of formulations manufactured, capacity-wise, item-wise and value-wise applied for by the 5 firms and granted to them;

(b) whether Government propose to revise the conditions imposed on these licences to include export condition, reduction of foreign equity and other conditions as they don't cover the present guidelines of the Ministry, and

(c) if so, when?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) to (c). A statement showing the items covered under Industrial licences, letters of intent, production, value and also the details of export obligation and conditions of dilution of foreign equity imposed in respect of five firms referred to is laid on the Table of the House. [*Placed in Library. See No.* LT-8311/74].

With the coming into operation of Foreign Exchange Regulation Act, 1973 M/s. Beecham (India) Ltd. and M/s. Anglo French Drug Co. (Eastern) Ltd. are required to associate Indian capital to the extent of 26 per cent. Proposals to this effect from these companies are yet to be received by this Ministry.

**Industrial Licences Issued to M|s. Sandoz**

3731. SHRI D. N. SINGH: Will the Minister of PETROLEUM AND HEMICALS be pleased to state:

(a) how many industrial licences have been issued to M/s. Sandoz including registration certificates and permission letters including item and capacities covered under them;

(b) in how many cases technical know-how fees are paid without producing raw material in the country; and

(c) whether these fees are paid without achieving any substantial results for years together and if so, will Government ask for its refund, if not, the reasons therefor?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): (a) No registration certificate has been issued to M/s. Sandoz (India) Ltd. for the manufacture of Drugs and Pharmaceuticals. Details regarding item of manufacture and capacities approved in the industrial licences and permission letters are given in the statement laid on the Table of the House. [*Placed in Library. See* No. LT-8312/74].

(b) No payment of technical know-how fees by M/s. Sandoz India Ltd., Bombay was approved for the manufacture of Drugs and Pharmaceuticals.

(c) Does not arise.

**Attempt made by Companies to delay Proceedings of MRTP Commission**

3732. SHRI JYOTIRMOY BOSU. Will the Minister of LAW, Justice AND COMPANY AFFAIRS be pleased to state:

(a) whether all the major Companies against whom charges of monopolistic and restrictive trade practices are pending before the MRTP Commission are trying to delay the proceedings of the Commission by getting stay orders from courts;

(b) whether Government are considering to clothe the MRTP Commission with powers to issue interim injunctions against such practices; and

(c) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDA BRATA BARUA): (a) Apart from the three companies, namely, the Cadbury Fry (India) Private Limited, the Colgate-Palmolive (India) Private Limited and the Coca-Cola Export Corporation in respect of which proceedings befor the MRTP Commission were stayed by the Delhi High Court, four other cases, namely,—

(1) (i) The Gramophone Company of India Limited, Calcutta and

(ii) The Bengal Petteries Limited, Calcutta, in respect o which inquiries were initiated by the MRTP Commission under Section 37(4) of the MRTP Act were stayed by the Calcutta High Court.

(2) In respect of (i) The India Tobacco Company Limited, Calcutt ; and

(ii) The Petrol Dealers, inquiries initiated by the MRTP Commission under Section 11(a)(iv), read with Section 37 of the MRTP Act, have been stayed by the Delhi High Court These cases are pending in the respective High Courts.

(b) and (c). It will be seen from the reply given to Starred Question No. 413 in the House on the 20th August, 1974 that the Commission had exercised the power of issuing an *ad interim* injunction in the case of the Hindustan Lever Limited. Certain modifications in regard to administrative, procedural and verbal changes relating to some of the provisions of the MRTP Act with a view to removing what may appear to be anomalies and ensuring the effective implementation of those provisions, are under consideration.

**Increase in Crimes in South Section of Sealdah Division**

3733. SHRI JYOTIRMOY BOSU: Will the Minister of RAILWAYS be pleased to state:

(a) whether it has been brought to his notice that robbery, snatching theft and other anti-social crimes have become the order of the day in the South Section of Sealdah Division, Eastern Railway; and

(b) if so, what steps, if any, have been or are being taken to put a stop to such anti-social activities and ensure security to the railway passengers?

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): (a) No. However, there has been some increase in the incidence of such crimes in the Section during July 1974.

(b) Security of person and property of passengers is the responsibility of the State Government which they discharge through the Agency of Government Railway Police.

The Government Railway Police have posted armed police pickets in the railway track between Bagha Jatin and Jadavpur Railway Stations. About 50 per cent of the trains in this Section are being escorted by armed police keeping element of surprise for the criminals in view. Plain clothed Government Railway Police staff also travel in selected night trains for shadowing criminals responsible for such crimes.

**Allotment of Cooking Gas Agency**

3734. SHRI ARVIND M. PATEL: Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) the number of applications received for the cooking gas agencies for Dhuraji in Rajkot district in Gujarat State;

(b) the names of the persons or firm to whom agency was allotted and on what grounds; and

(c) what is the general criteria adopted for granting a cooking gas agency?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN). (a) to (c). In the award of IOC's agencies including cooking gas agencies, preference is being given at present to disabled defence personnel, widows and dependants of those killed in action or missing on duty and ex-servicemen based on nominations received from the Directorate General of Resettlement, (DGR), Ministry of Defence. Effective from 1-1-1974, 25 per cent of the IOC's dealerships etc., including retail outlets (Petrol Pumps) have been earmarked for persons belonging to SC/ST.

In July 1972, the LPG trade of Burmah-Shell at Porbander, including Dhoraji and Upleta was taken over by IOC. Till finalisation of the award of this agency to war-widows, disabled defence personnel etc., the agency for Dhoraji and Upleta was handed over to the IOC's existing Indane distributors at Junagarh *viz.*, M/s. Junagarh Co-operative Society on a temporary basis. DGR has since nominated Capt Deshpande and Major Patel jointly for the LPG agency in Dhoraji and Upleta. As soon as the DGR's nomi-

sees complete all requisite formalities, LPG trade at this station will be handed over to them No applications for award of the agency were invited, since the appointment of distributors from amongst defence personnel is made on the recommendations of the DGR.

**Use of Nuclear Explosion in Oilshab Exploitation sought by O.N.G.C.**

3735. SHRI P. GANGADEB:
SHRI D. D. DESAI:

Will the Minister of PETROLEUM AND CHEMICALS be pleased to state

(a) whether Oil and Natural Gas Commission is collecting information from the U S.A., U.S.S.R. and other foreign countries on nuclear blast in oil shab exploitation;

(b) whether any information has been obtained so far,

(c) if so, the broad outlines thereof, and

(d) whether Oil and Natural Gas Commission is going to pool its knowledge and resources in making experiments to extract oil from dismantled oil wells in Gujarat?

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN) (a) Yes Sir, the developments are being followed from published literature.

(b) Yes, Sir

(c) In U.S A and Soviet Union nuclear explosions for the stimulation of oil and gas reservoirs have been done on experimental basis Improvements in flow rate of oil and gas have been reported from both countries American reports indicate that the process is still in an experimental stage and it is not known whether it will be economic

(d) Since there are no dismantled oil wells in Gujarat, the question of making experiments to extract oil from them does not arise.

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12 hrs.

## QUESTION OF PRIVILEGE

### FAILURE OF GOVERNMENT TO LAY BEFORE THE HOUSE MEMORANDUM OF ACTION TAKEN ON SUGAR INDUSTRY INQUIRY COMMISSION REPORT

PROF. MADHU DANDAVATE (Rajapur): I had raised a privilege issue last time and on the technical ground that the report that was submitted on 15th May 1973, happened to be an interim report according to the Minister, with which you agreed, that issue was not pressed then. I am not raising that same issue, because I cannot challenge your ruling. But now again another privilege is attracted by a further development.

MR. SPEAKER: Please do not come under privilege motion every time. I fully appreciate your point. I have seen this. When the Government fails to fulfil certain legal or constitutional obligations, it is not always a matter of privilege. It can be the subject of censure or other discussion, not as a privilege. Do not come under this always. Otherwise, you can make your point.

PROF. MADHU DANDAVATE: Yesterday the Minister of Agriculture, Shri Subramaniam, laid on the Table what he considers as the final report of the Sugar Industry Inquiry Commission. Again I want to point out that another important provision of the Commissions of Inquiry Act, 1952 has been violated, and contempt of the House committed. According to Section 3(4), they are obliged to place before the House not only the report of the Inquiry Commission but also the memorandum of action taken. Unfortunately, after submitting this report, simultaneously they have also submitted what they describe as a memorandum of action. In reality, this memorandum is like the holy Roman empire which is neither holy nor Roman. It cannot be described as a memorandum of action. Even

[Prof. Madhu Dandavate]

by the dictionary meaning, memorandum of action on the report means if any action is taken on the recommendations made in the report. In that case, that action has to be mentioned in the memorandum. But strangely enough and probably under certain pressure, they have submitted a memorandum. It is a very interesting thing.

MR SPEAKER: In my own opinion also, this is not a memorandum.

PROF. MADHU DANDAVATE: I am very happy you have made that observation. In order that the House should also know, I will quote. In the so-called memorandum on p 3, it is stated:

> "In view of the sizeable financial outlay and complex administrative issue involved, Government would need some more time to examine the matter in detail and arrive at a decision".

Sir, as far as nationalisation is concerned, the report was submitted and admitted by Mr. Subramaniam on 15th May, 1973. More than a year has lapsed and, after that, they want from you more time not only to take a decision, but even to examine the report. Even for examination, they want more time. They want more time for a decision. Sir, I would like to submit, if ordinary reports are withheld and no decision is taken, perhaps, there may be no loss to the economy. But, this is an important matter. I do not want to go into the merits of the case for nationalisation just now. Even my friends like Mr. Piloo Mody, in spite of their attitude towards nationalisation, will be able to agree to this particular fact that we should have either nationalisation or have a firm decision not to have nationalisation. But, when you keep the issue pending then there is neither the state of private entrepreneurship in running the sugar industry nor those who are interested in nationalisation of the industry get justice. As a result of this suspension, the actual productivity of the industry suffers. Through this indecision of the Government and through the contempt of the House that they have committed, it is not merely that some Constitutional technicalities have been harmed, but even nationalisation will be impaired. Therefore, Sir, since they have committeed a contempt of the House, at least this time you should announce in the House, that they have committed a contempt of the House, that they have violated the Act, and therefore, they must come forward with an unqualified apology. Otherwise, in spite of your observation that it does not attract privilege, I feel, contempt of the House is really a breach of privilege and therefore privilege is attracted.

SHRI H N. MUKERJEE (Calcutta—North-East): What is the response of the Government? Government must respond.

PROF. MADHU DANDAVATE When Mr. Subramaniam's name was announced, he should have had the courtesy to remain in the House. I have all respect to Mr. Shinde. Perhaps, he may be able to give a better reply. But, I would have very much liked Mr. Subramaniam to be present in the House, when his name is involved.

MR. SPEAKER: I think he may not have received the notice—I understand notice has been sent. I think he will see these things all right.

SHRI S. M. BANERJEE (Kanpur): Sir, I rise on a point of order. Mr. Shinde cannot speak on this. The privilege motion has been moved by my hon. friend against Mr. C. Subramaniam and it is he who should reply. He cannot depute somebody by proxy.

MR. SPEAKER: I think he should reply.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE (SHRI ANNASAHEB P. SHINDE): I would request him.

MR. SPEAKER: I will send it to him. He will be given the notice.

PROF. MADHU DANDAVATE: Do I take it that you feel that there is a *prime facie* case that the requirement of Section 34 of the Commission of Inquiry Act, 1952 has not been fulfilled?

MR. SPEAKER: Either you ask for my observation or you say that he should come and explain. This will be sent to him. Then, I will come with my observations.

SHRI JYOTIRMOY BOSU (Diamond Harbour): My information is, hon. Minister Mr. C. Subramaniam has duly received the notice.

MR SPEAKER: Your information is wonderful information.

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12.10 hrs.

## PAPERS LAID ON THE TABLE

REVIEW AND ANNUAL REPORT WITH AUDITED ACCOUNTS OF OIL AND NATURAL GAS COMMISSION FOR 1972-73

THE MINISTER OF PETROLEUM AND CHEMICALS (SHRI D. K. BOROOAH): I beg to lay on the Table—

(1) A copy of the Annual Report together with the Audited Accounts (Hindi and English versions) of the Oil and Natural Gas Commission for the year 1972-73 and of its subsidiary company Hydocarbons India Private Limited, New Delhi, for the year 1972, under sub-section (3) of section 23 read with sub-section (4) of section 22 of the Oil and Natural Gas Commission Act, 1959.

(2) A copy of the Review (Hindi and English versions) by the Government on the above Report. [*Placed in Library. See* No LT-8294/74].

ORDER OF DELIMITATION COMMISSION IN RESPECT OF TAMIL NADU

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITIRAJ SINGH CHAUDHARY): I beg to lay on the Table a copy of Order No. 21 (Hindi and English versions) of the Delimitation Commission in respect of the State of Tamil Nadu, published in Notification No. S.O. 463(E) in Gazette of India dated the 31st July, 1974, under sub-section (3) of section 10 of the Delimitation Act, 1972. [*Placed in Library See* No LT-8295/74].

REVIEWS AND ANNUAL REPORTS OF INDIAN DRUGS AND CHEMICALS LTD., NEW DELHI, ENGINEERS INDIA LTD., NEW DELHI, PYRITES PHOSPHATES AND CHEMICALS LTD., DEHRI-ON-SONS AND FERTILIZERS AND CHEMICALS, TRAVANCORE LTD., ELOOR FOR 1972-73

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS (SHRI SHAHNAWAZ KHAN): I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:—

(1) (i) Review by the Government on the working of the Indian Drugs and Pharmaceuticals Limited, New Delhi, for the year 1972-73.

(ii) Annual Report of the Indian Drugs and Pharmaceuticals Limited, New Delhi, for the year 1972-73 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(2) (i) Review by the Government on the working of the Engineers India Limited, New Delhi, for the year 1972-73.

(ii) Annual Report of the Engineers India Limited, New Delhi, for the year 1972-73 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(3) (i) Review by the Government on the working of the Pyrites Phosphates and Chemicals Limited, Dehri-on-Sone Distt. Rohtas (Bihar) for the year 1972-73.

(ii) Annual Report of the Pyrites Phosphates and Chemicals Limited, Dehra-on-Sone, Distt. Rohtas (Bihar) for the year 1972-73 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon.

(4) (i) Review by the Government on the working of the Fertilisers and Chemicals, Travancore Limited, Eloor, Udyogamandal (Kerala) for the year 1972-73.

(ii) Annual Report of the Fertilisers and Chemicals, Travancore Limited, Eloor, Udyogamandal (Kerala) for the year 1972-73 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [*Placed in Library. See* No. LT-8296/74].

SHRI S. M. BANERJEE (Kanpur): Sir, all the reports laid by Shri Shahnawaz Khan under item 4 of the Order Paper relate to the year 1972-73. The minister feels he is safe in your hands and he has not even issued an apology or expressed a sense of regret or offered an explanation why this delay has taken place. I could have understood it if it was one report. But there are so many reports of so many public undertakings which are laid after so much of delay. I would request you, Sir, not to allow him to lay the reports unless he satisfies you about the reasons for the abnormal delay.

MR. SPEAKER: Your objection is valid. When the laying of reports is delayed, the minister is required to send some information about the reasons for the delay. The hon. member is insisting on it now.

SHRI SHAHNAWAZ KHAN: I am sorry it was not done. I will do it.

MR. SPEAKER: That explanation will be laid on the Table and the member shall have a chance to see it.

MONOPOLIES AND RESTRICTIVE TRADE PRACTICES COMMISSION (CONDITIONS OF SERVICE OF CHAIRMAN AND MEMBERS) AMENDMENT RULES, 1974

THE DEPUTY MINISTER IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI BEDABRATA BARUA): I beg to lay on the Table a copy of the Monopolies and Restrictive Trade Practices Commission (Conditions of Service of Chairman and Members) Amendment Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 371(E), Gazette of India dated the 23rd August, 1974, under subsection (3) of section 67 of the Monopolies and Restrictive Trade Practices Act, 1969. [*Placed in Library. See* No. LT-8297/74].

RAILWAYS RED TARIFF (FIFTH AMENDMENT) RULES, 1974

THE DEPUTY MINISTER IN THE MINISTRY OF RAILWAYS (SHRI MOHD. SHAFI QURESHI): I beg to lay on the Table—

(1) A copy of the Railways Red Tariff (Fifth Amendment) Rules, 1974 (Hindi and English versions) published in Notification No. G.S.R. 602

in Gazette of India dated the 15th June, 1974, issued under section 47 of the Indian Railways Act, 1890.

(2) A statement (Hindi and English versions) showing reasons for delay in laying the above Notification. [*Placed in Library. See* No. LT-8298/74].

REASONS FOR DELAY IN IMPLEMENTATION OF ASSURANCES GIVEN *Vide* U.S.Q. No. 512 DATED 17-11-71 RE. COMBING OPERATIONS IN WEST BENGAL

THE DEPUTY MINISTER IN THE MINISTRY OF HOME AFFAIRS (SHRI F. H. MOHSIN): I beg to lay on the Table a statement giving reasons for delay in the implementation of the assurance given by him in answer to Unstarred Question No. 512 dated the 17th November, 1971 regarding Reports of Civil Officials on combing operations in West Bengal. [*Placed in Library. See* No. LT-8299/74].

SHRI JYOTIRMOY BOSU (Diamond Harbour): Sir, through my unstarred question No. 512 dated 17th November 1971, I had asked for the number of reports submitted since 29th June 1971 by the civil officials on the combing operations in West Bengal and the number of combing operations that the army and police had conducted. Will the minister tell us as to what made them take so much time and to sit over this question from 1971 to 1974 unless they had some thought in their mind and that was the political interest of their own party? They do not want to reveal certain things They are taking the House for a ride day in and day out. Yesterday Prof. Mukerjee had raised it. Today I have given notice of five questions on Maruti.

My question is based on a paper clipping dated 17th July, 1971 which says:

"Magistrates are usually called upon to attend the searches jointly conducted by the police and the army in the disturbed areas and they are requested to submit their independent reports to the Home Department."

This has not been done at all and that is why I put this question. May I ask the minister, what explanation he has to offer to this House for this unusual delay of four years for providing this simple information to the House? If it was not a political interest of his party, he may kindly tell us. I would like to have a reply from the hon. Minister on this.

SHRI F. H. MOHSIN: Sir, the reasons have been mentioned in my statement which I have laid on the Table of the House.

The Unstarred Question No. 512 was asked by Mr. Jyotirmoy Bosu and it was answered on 17th November, 1971. The assurance was given as regards part (a) of the Question. But that information was not forthcoming from the State Government. The State Government was adressed, as it has been mentioned in the statement, on 4th November, 1971 and then, again, the matter was pursued. The interim reply was received on 29th August, 1972. But before the assurance could be fulfilled, it was felt that some clarification was required.

The State Government was again addresed on the 23rd September, 1972. The matter was again pursued. We had to remind the State Government 15 times. 15 reminders were sent; 5 d.o. letters and 2 wireless messages were also sent. An interim reply was received from the State Government on 24th March, 1974. That was also not sufficient. Anyway, we did not want to delay further. On the basis of the material we have received, we have fulfilled the assurance on 26th July, 1974.

SHRI JYOTIRMOY BOSU: Sir, you should make some observation..

MR. SPEAKER: You ask me to make observation every time.

SHRI JYOTIRMOY BOSU: Four years have passed, from 1971 to 1974.

MR. SPEAKER: Four years and 15 reminders.

REASONS FOR DELAY IN IMPLEMENTATION OF ASSURANCE GIVEN *Vide* U.S.Q No 1244 DATED 31-7-73 RE. REMITTANCE OF PROFIT EARNED BY FOREIGN OIL COMPANIES

SHRI D. K. BAROOAH: Sir, I beg to lay on the Table a statement giving reasons for delay in the implementation of the assurance given by the Deputy Minister of Petroleum and Chemicals in answer to Unstarred Question No. 1244 dated the 31st July, 1973 regarding Remittance of Profit earned by Foreign Oil Companies. [*Placed in Library. See* No. LT-8300/74].

**श्री ज्योतिर्मय बसु** : यह हमारे पास जो कंपी आयी यह 10 मई 1974 की है लेकिन हमारे घर में पहुची अगस्त महीने में। पैट्रोलियम मिनिस्ट्री के घर से हमारे घर को कौन गधा ले जाता है, यह बात हम पूछ रहे है।

I would like to know whether it was due to the fact that this reply reveals certain disturbing news about the galloping profits that the foreign oil companies are making.

MR. SPEAKER: Why do you make a speech?

SHRI JYOTIRMOY BOSU: Burmah Shell—from Rs. 499 lakhs in 1970 to Rs. 727 lakhs in 1972; Caltex—from Rs. 115 lakhs in 1970 to Rs. 189 lakhs in 1972; Esso—from Rs. 260 lakhs in 1970 to Rs. 961 lakhs in 1972. Mr. Borooah, you are a socialist. What are you doing? Thank you very much.

SHRI D. K. BOROOAH: May I say a word by way of explanation?

The delay was not at our level. We had to get the information from the Reserve Bank. As it happened in the case of the Deputy Minister of Home Affairs, ultimately, we had to send an officer from our Ministry to the Reserve Bank and collect the information.

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12.20 hrs.

## BUSINESS ADVISORY COMMITTEE

### FORTY-SEVENTH REPORT

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAHIAH): I beg to present the Forty-seventh Report of the Business Advisory Committee.

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## COMMITTEE OF PRIVILEGES

### TWELFTH REPORT

MR. HENRY AUSTIN (Eranakulam). I beg to present the Twelfth Report of the Committee of Privileges.

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12.21 hrs.

## MATTERS UNDER RULE 377

### CONTINUANCE OF PROCLAMATION OF STATE OF EMERGENCY

SHRI SHYAMNANDAN MISHRA (Begusarai): I want to draw the attention of the House to the fact that the Government is surreptitiously and illegally perverting the Proclamation of a State of Emergency issued by the President on the 3rd Decmber 1971 and subsequently approved by Parliament. The Proclamation of Emergency issued by the President reads as follows:—

> "In exercise of the powers conferred by clause (1) of article 352 of the Constitution, I, V. V. Giri, President of India, by this Proclamation declare that a grave emergency exists whereby the security of India is threatened by external aggression."

Please remember the words 'threatened by external aggression". It is clear that, though the Emergency was proclaimed under article 352(1) of the Constitution, the reason for it was strictly limited to the threat of external aggression. It did not even include internal disturbance which is covered by article 352(1) of the Constitution. However, to our great shock and surprise, the Government said only a week back in reply to Unstarred Question No. 3,066 by Prof. Samar Guha on the 21 August, 1974, the following:

> "The question of continuance of emergency is kept under constant review in the light of the relevant security considerations and the progress of the process of normalisation of relations with Pakistan and the overall economic situation in the country."

This is, particularly, the clause to which I am taking objection—the overall economic situation in the country. I would like the House to seriously consider the sinister imposition of a new condition of emergency and its dreadful repercussions on the Fundamental Rights and liberties of the people and on the Centre-State relations as it opens up the frightful prospect of indefinite continuance of the state of emergency under the plea of economic crisis or economic emergency. This reply of the Government, read with the reply of the Prime Minister to the foreign correspondents on the 15 June 1974, confirms the doubt that the Government is continuing the state of emergency under the false and illegal plea of economic emergency, though the original reasons for which the proclamation of December 1971 was issued have ceased to exist.

I quote the reply of the Prime Minister at a Press Conference with the Foreign Correspondents' Association held at Ashoka Hotel on June 15, 1974. I take care to reproduce the version of the Press Information Bureau of the Government of India.

> "Prime Minister: Well, I do not know, because there is still emergency in India; there may not be a war emergency, but, I think, the economic emergency, is just as severe for a country as it ought to be in war time....So one has to think of national interest. It is not a question of Government interest or Party interest but the interest of the larger number of people as against the interests of a smaller section."

There cannot be at more authoritative interpretation of the present situation relating to emergency than the statement of the Prime Minister.

You will kindly recall that only a year back the Government had mooted the proposal for the localisation of emergency in certain parts of the country and had pleaded with the Opposition to accept that proposal. So, the dangerous shift in the position of the Government is clear beyond doubt in the enlargement of the scope of the emergency illegally and it is bound to be misused by the executive.

Now, a number of constitutional issues arise:

(1) Can the scope of emergency be extended by the executive *suo motu* without reference to Parliament?

(2) Does not the addition of a purpose not germane to Art. 352(1) of the Constitution make the whole Proclamation illegal?

(3) If the war emergency for which the Proclamation of 1971 was made does not exist as the Prime Minister said, what is the status and function of the proclamation?

(4) If there is only an economic emergency, can the present Proclamation be used to take care of it?

[Shri Shyamanandan Mishra]

(5) Even if there is a Strange phenomenon like the economic emergency, a concept used by the Prime Minister but unknown to the Constitution, can the emergency provisions of the Constitution be invoked at all? The Constitution speaks of a financial emergency in Article 360 and not economic emergency.

(6) Even if the Prime Minister meant financial emergency in the place of economic emergency, is not a fresh Proclamation under Article 361 called for in place of the old one under Art. 352(1)?

The subject, Mr. Speaker I submit is of the highest importance as the Constitution stands amended in the light of the Proclamation in respect of the Fundamental Rights of the citizens and the Centre-States relations. Further, a statutory resolution cannot be tampered with by the executive. So, I request you to ask the Government to make a statement on the issues raised and permit a discussion on the subject during this session itself.

SHRI H. N. MUKERJEE (Calcutta-North-East): This opens a pandora's box of problems which we have got to take note of.

I am very happy that you have permitted a mention of it under Rule 377. But we are now confronted with a situation where on the sly the Government seems to continue the process under the Proclamation, which is completely unwarranted. Therefore, I submit to you that a discussion should be directed, because anything mentioned here is taken note of by the whole country. We take note of it as you take note of it also.

SHRI SOMNATH CHATTERJEE (Burdwan): Kindly appreciate the grave importance of the Emergency continuing.

**श्री अटल बिहारी वाजपेयी** (ग्वालियर): अध्यक्ष महोदय, सरकार से कहिए कि इस पर ध्यान दे और फिर चर्चा के लिए समय रखे ।

**अध्यक्ष महोदय** : अभी तो सभी लोग बोल रहे है। यह तो 377 के अन्डर सवाल उठा है ।

**श्री अटल बिहारी वाजपेयी** : एमर्जेंसी का प्रोक्लेमेशन हाउस से एप्रूव कराना पडता है और उसने उस को एप्रूव किया है। क्या बिना हाउस की एप्रूवल के इस प्रोक्लेमेशन को एमेंड कर सकते है ?

SHRI S. M. BANERJEE (Kanpur): What is the need of an Emergency? Let them make a statement.

SHRI SOMNATH CHATTERJEE: A person detained under MISA is to remain in jail without trial so long as the emergency continues. Therefore, without trial a man is kept in jail for years. So long as the emergency continues, the detention will continue. That is why one of the learned Judges of the Supreme Court has said that this will amount to life imprisonment without trial. That will be the result. (*Interruptions*).

SHRI S. M. BANERJEE: Now, the Prime Minister should come here and make a statement.

SHRI SOMNATH CHATTERJEE: Personal liberties have become a mockery in this country. It has become an empty phrase.

MR. SPEAKER: It will be conveyed to the Prime Minister.

**श्री मधु लिमये** (बांका ) : आपत्कालीन स्थिति पर एमजसी पर मेरा प्रस्ताव आप ने मान लिया है और एक बुलेटीन में वह प्रकाशित हुआ है। उस पर बहस का मौका नहीं मिल रहा है और इस तरह से प्रधान

मंत्री जी और गृह मंत्री जी नये नये कारण ढूंढते चले जा रहे हैं। इस पर चर्चा करने का सदन को मौका मिलना चाहिए।

SHRI S. M. BANERJEE: You have admitted one of the motions tabled by Mr. Madhu Limaye. This Government wants to do all sorts of things under cover of emergency. But now the session is extended upto the 7th. Why should not a discussion be allowed?

MR. SPEAKER: This is Motion for disapproval of the Additional Emoluments Compulsory Deposit Ordinance.

SHRI H. N. MUKHERJEE: I must crave for your guidance on a point of order in relation to matter under Rule 377.

MR. SPEAKER: It has already been raised.

SHRI H. N. MUKERJEE: I am asking for your guidance in regard to this point. I welcome the way in which it has been used today, but I seek your guidance which is, when, in pursuit of your permission to raise a matter under Rule 377, a fundamental and significant issue happens to be taken cognisance of by the whole House, would it not be desirable, in order to make that issue amenable to appropriate parliamentary discussion, occasionally only on exceptional circumstances, that a discussion might follow in the House? I am not asking for it here and now. Something has been reported ever here and the whole country is naturally exercised over the matter and the country would also like to know the reaction of the Members of the House.

SHRI SAMAR GUHA (Contai): In the last session.

MR. SPEAKER: Kindly sit down.

SHRI SAMAR GUHA: I want to submit a few words about the allied question.

MR. SPEAKER: There is no debate.

SHRI SAMAR GUHA: I just want to make a submission to you.

MR. SPEAKER: The House is seized of the matter. There is no question of this or that gentleman having brought it or some one else having brought it.

The entire House is seized of them matter. That should satisfy you.

SHRI SAMAR GUHA: I welcome it. I have to make a submission. During the last session the same question was raised on national emergency. And the Pakistan issue came up. Specific issues were raised and in relation to that it was said that this will be used for local purposes, that is to say, it will be localised.

MR. SPEAKER: This can come when there is a debate.

SHRI SAMAR GUHA: Just allow it.

MR. SPEAKER: I have no objection. Professor, kindly sit down. Do not do it every day.

SHRI SAMAR GUHA: One more sentence and I will sit down.

MR. SPEAKER: When I am standing, please sit down. There is no debate now.

SHRI SAMAR GUHA: My point is this.

MR. SPEAKER: Oh, God, help me; may I be saved from you sometimes! After all, I am a human being.

SHRI SAMAR GUHA: I purposely wanted not to disturb you, I have drawn your attention to this.

MR. SPEAKER: Will you kindly sit down for some time when I am standing? Please sit down.

SHRI SAMAR GUHA: Unfortunately this is the lesson for many of us that unless one creates a disturbance, one is not heard.

MR. SPEAKER: I am prepared to meet that, if you are under this impression. Look at this gentleman.

SHRI SAMAR GUHA: If you allow me, I shall do it.

MR. SPEAKER: I am helpless now. You can force it over my ears. But, I am not listening to this.

SHRI SAMAR GUHA: Sir, I shall not raise unnecessory things. I will do this only if I am permitted by you.

MR. SPEAKER: I have not permitted you.

SHRI SAMAR GUHA: Then I shall sit down.

MR. SPEAKER: When I was standing I could not permit you.

SHRI SAMAR GUHA: If I am not permitted to raise this, what respect shall I have from my people?

SHRI SHYAMNANDAN MISHRA: The hon. Minister who replied to the question is keeping tightlipped. Why is he now tightlipped when he has already replied to the question of Prof. Guha?

MR. SPEAKER: Please do not make it complicated. Already he has agreed to sit when I am standing. You have placed these facts and also your observations. These will be conveyed by the Minister to the Prime Minister.

SHRI S. M. BANERJEE: The motion is already there.

MR. SPEAKER: I have no objection for discussing anything in this House if you will go on doing this every time. But, what do you want me to do now?

SHRI ATAL BIHARI VAJPAYEE: Before discussion, you will kindly ask the Law Minister or the Home Minister to make a statement on the important constitutional points that have been raised. Otherwise, no useful discussion can take place unless the Law Minister comes out with a statement.

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12.38 hrs.

## STATUTORY RESOLUTION RE. DISAPPROVAL OF ADDITIONAL EMOLUMENTS (COMPULSORY DEPOSIT ORDINANCE AND ADDITIONAL EMOLUMENTS (COMPULSORY DEPOSIT) BILL

MR. SPEAKER: We shall now take up the next item—items 11 and 12. The two will be taken up together. Mr. Banerjee says....

SHRI S. M. BANERJEE (Kanpur): Sir, this cannot be discussed here.

MR. SPEAKER: You move the motion under item No. 11. That is the only thing I have with me.

SHRI S. M. BANERJEE: Sir, I rise on a point of order. There are two things.

MR. SPEAKER: What is your point of order?

SHRI S. M. BANERJEE: My point of order is this. About item No. 11 I have no objections, as notice has already been given, because you have asked for it. Once it is discussed, then it calls for a further discussion. My point is this. I do not know whether you have gone through the papers.

MR. SPEAKER: There are two.

SHRI S. M. BANERJEE: I would invite your attention to the various rules of this House, particularly to rule 186 (viii) at page 80 of the Rules of Procedure. It reads thus:

> "it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India."

Motions are being disallowed in this House if a case if *sub judice* or it is before a judicial or even a quasi-

judicial body. When we discuss such matters, we are very cautious, and we do not refer to certain things which might prejudice the court case or the case before the tribunal.

I would invite your kind attention to the Supreme Court rule which was issued yesterday. The report says:

> "The five-Members Constitution Bench of the Supreme Court, on Monday...."

—that is, yesterday—

> "....admitted a writ petition challenging the Additional Emoluments (Compulsory Deposits) Ordinance promulgated on July 6, reports PTI."

Item No. 12 is actually the Bill which has been challenged in the Supreme Court. The case has been argued by our ex-Minister Shri M. C. Chagla yesterday, and

> "The Court issued *rule nisi* to the Union Government asking it to show cause why the petition should not be granted.".

It is not a question of a similar thing, but it is a question of the same ordinance to replace which the Bill has been brought. That has been challenged in the Supreme Court, and the Constitution Bench of the Supreme Court in its wisdom has issued the rule.

A point may be raised by the hon. Minister that the court has not granted stay. Of course, I agree that it has not granted stay. The report further says:

> "The court, however, refused to issue *ex-parte* stay as requested by the petitioner.".

I am not concerned with that. In the court itself, the same points have been argued by my friend Shri M. C. Chagla as have been argued by Shri Somnath Chatterjee and some of us following his arguments. The report further says:

> "One of the six grounds on which the ordinance has been challenged is that the provisions of the deposit scheme to be framed under the ordinance would have overriding effect over all existing laws and enactments of both Central and State Governments, leading to encroachment upon the legislative powers of the state....".

This was exactly what was argued by my hon. friend Shri Somnath Chatterjee. We supported him and followed his arguments. This was one of the arguments. Further, the report says:

> "As it is, the ordinance has the effect of rendering nugatory several provisions of the Payment of Wages Act, the Payment of Bonus Act, the Minimum Wages Act and the Industrial Disputes Act, all valid acts promulgated by Parliament, the petition".

Whatever laws we have passed here are also going to be affected by this Bill when it becomes an Act. I know that the ordinance has the force of law But in this case, I would request you not to permit any discussion on this Bill because unless the Supreme Court holds a firm view either this way or that way, unless they declare this infructuous or *ultra vires* the Constitution or say that it is an encroachment on the rights of the States or not, we cannot discuss this. Even according to the Rules of Procedure, this cannot be discussed, because rule 186 (viii) clearly says:

> "it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India."

and this is being applied throughout the country.

So my point is this that the rule and convention also here has been not to discuss a matter under adjudication by a court. Here this is an approval Motion. So it cannot also be discussed, though I am in favour of its discussion—I am one of the sig-

[Shri S. M. Banerjee]

natories to it. But this also comes under that provision of the rule since the Supreme Court is seized of the matter. So I submit that the rule and convention will apply in this case.

Apart from this, there have been other instances. When a court case was going on in the case of the Bastar Maharaja who was murdered, we wanted to raise this issue. Your predecessor then ruled that it was *sub judice* because the court was seized of the matter. So we changed our mode of attack instead of referring to the murder, we took up the issue of the appalling poverty of the people, the Adivasis, there.

There have been other cases also I know the Government can say that Parliament is supreme. I agree, but when the highest judiciary in the land, the Supreme Court, is seized of the matter, I submit we cannot proceed with this. The same ordinance has been challenged on the same grounds as were urged here. At that time, when the issue of legislative competence was raised, you in your wisdom said 'I cannot decide the constitutional point'. But fortunately, the Supreme Court which is the highest judicial authority in the land is seized of the matter, we should refrain from proceeding with this now.

MR. SPEAKER: There are rulings on this and they have been announced.

SHRI S. M. BANERJEE: Let the Law Minister explain the legal aspect of the matter.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): I can reply. There is no necessity to trouble the Law Minister.

SHRI SOMNATH CHATTERJEE (Burdwan:) On a point of order. Kindly look at art. 123(2). It gives power to Parliament to pass a resolution or motion disapproving an Ordinance. It is in exercise of this that Shri Vajpayee and others have tabled a motion. This is a motion contemplated by the Constitution itself.

This motion has been moved not only under the rules of procedure of this House but also under a constitutional provision. Rule 186 will also apply to such a motion. But the relevant clause says:

> "it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.".

The highest court in this country has been *prima facie* satisfied that there are good grounds to challenge the validity of the Ordinance. Once a *rule nisi* has been issued, it means that; otherwise no notice is issued to Government. Kindly look at the statement of objects and reasons.

> "The Bill seeks to replace the said Ordinance with certain modifications which are mainly of a clarificatory or procedural nature."

The Ordinance is now sought to be adopted in the shape of a Bill or Act. If the Ordinance is struck down by the Supreme Court, the Bill will necessarily fall with it because the Bill does nothing more than seek to replace the Ordinance.

The motion sought to be moved by Shri Vajpayee cannot be discussed under rule 186. If that motion cannot be discussed, then the Bill cannot be discussed because it is a constitutional provision and that provision cannot be suspended by us. Therefore, without a discussion on the merits of the motion, we cannot discuss the merits of the Bill.

**श्री मधु लिमये** (बांका) : अध्यक्ष महोदय, मेरा व्यवस्था का प्रश्न प्रस्तावों के तेहत नहीं है। मेरा प्वाइन्ट आफ़ आर्डर रूल 171 और 173 के तेहत है, लेकिन मुद्दा वहीं है, आप चैप्टर 3, पेज 74–75 को देखें—इस में रेजोल्यूशन की फार्म के बारे में यह कहा गया है—रूल 171—

"A resolution may be in the form of a declaration of opinion, or a recommendation; or may be in the form so as to record either approval or disapproval by the House of an act or policy of Government, or convey a message;"

इसी से मेरा सम्बन्ध है —

"or may be in the form so as to accord either approval or disapproval by the House of an act....

ये इस संकल्प के द्वारा अपनी असहमति रिकार्ड करना चाहते हैं—इनका रेजोल्यूशन इस प्रकार है —

"This House disapproves of the Additional Emoluments (Compulsory Deposit) Ordinance, 1974 (Ordinance No. 8 of 1974) promulgated by the President on the 6th July, 1974."

अब इस में एडमिसिबिलिटी के बारे में रूल 173 है—मैं रेजोल्यूशन के बारे में चर्चा कर रहा हूं, मोशन के बारे में नहीं कह रहा हूं —

"In order that a resolution may be admissible, it shall satisfy the following conditions, namely:—

इसमें मैं (5) की तरफ आप का ध्यान आकृषित करना चाहता हूं —

(v) it shall not relate to any matter which is under adjudication by a court of law having jurisdiction in any part of India.

अब, अध्यक्ष महोदय जटिल प्रश्न हमारे सामने यह है कि माननीय सदस्य श्री अटल बिहारी वाजपेयी का यह संवैधानिक अधिकार है कि वे अपने इस संकल्प के ऊपर बहस करवा कर सदन का फैसला करवा सकते हैं। साथ ही साथ एडमिसिबिलिटी का जो नियम है—वह नियम कहता है कि जब तक अदालत के सामने जो मामला है, उस का फैसला नहीं होता है, तब तक इस पर बहस नहीं हो सकती —इसलिए मैं इसके बारे में आप का निर्णय चाहता हूं।

MR. SPEAKER: It is a statutory resolution.

**श्री अटल बिहारी वाजपेयी** (ग्वालियर): यद्यपि संकल्प मेरा है ....

**श्री एस० एन० बनर्जी** : उस में मेरा नाम भी है, लौटरी में मेरा नाम पीछे हो गया, नं० 2 हो गया।

**श्री अटल बिहारी वाजपेयी** : जब यह विधेयक पेश किया जा रहा था, उस समय प्रतिपक्ष ने संवैधानिक आपत्ति उठाई थी। उस समय यह कहा गया था कि यह सदन या संसद् इस तरह के विधेयक पर विचार करने का अधिकार नहीं रखती है, जिस विधेयक के अन्तर्गत राज्यों के अधिकार पर अतिक्रमण हुआ है। उस समय आप ने यह निर्णय दिया था कि संवैधानिक पहलुओं पर फैसला देना मेरा काम नहीं है, यह अदालत का काम है। अब यह मामला अदालत में पहुंच गया है ....

**श्री सोमनाथ चटर्जी** : उन्होंने एडमिट किया है।

**श्री अटल बिहारी वाजपेयी** : अगर सुप्रीम कोर्ट प्राथमिक सुनवाई के बाद मामले को रद्द कर देती तो कठिनाई पैदा न होती, लेकिन उन्होंने इसे एडमिट कर लिया है। सरकार के नाम "रूल-नीशी" जारी कर दिया है, इससे परिस्थिति और ज्यादा पेचीदा हो गई है। सुप्रीम कोर्ट ने जो कार्यवाही की है, इस सदन को उसे ध्यान में रखना चाहिए ...

MR. SPEAKER: There are various ruling on this.

[Mr. Speaker]

"The rule of *sub judice* cannot stand in the way of legislation. If the rule of *sub-judice* were to be made applicable to legislation, it would not only make legislatures subordinate to the courts in that matter....".

So far as the vires of the legislations are concerned, that is a different matter.

".... but would make enactments impossible because numerous cases concerning a large number of statutes await at all times adjudication in one court or the other. Parliament's main function to make laws will thus come to a standstill. This is neither sanctioned by the Constitution, nor justified on merits. Legislatures being supreme and sovereign in the matter of making laws there is no bar on their work in the field of legislation."

"The members, however, refrain from referring to the facts of a case pending before a court, when a Bill is under discussion in the House.

The then Speaker held that discussion on a Bill, the subject-matter of which is *sub judice* by virtue of an appeal pending in the Supreme Court, is also in order provided members refrain from referring to the facts of the particular case under appeal, as thereby the debate in the House could not prejudice the hearing of the appeal by the Supreme Court.

A Bill seeking to replace an ordinance can be discussed in the House notwithstanding the fact that the Ordinance has been challenged in a court of law and the court has issued rule *nisi* to the Government."

**SHRI MADHU LIMAYE:** Your ruling is correct in respect of item 12. But the point of order has been raised about item 11, i.e. the Resolution.

**MR. SPEAKER:** Resolution also is covered because it says further:

"A point of order was raised in the House that the Resolution which had been moved disapproving of the Essential Services Maintenance Ordinance, 1968, could not be discussed as the Ordinance was pending adjudication before courts of law. The point of order was ruled out on the ground that the rule of *sub judice* does not apply to legislation and the Resolution to disapprove the Ordinance is in the nature of legislation because all it seeks to do is to disapprove the Ordinance, i.e. to repeal the legislation which is in force and that an Ordinance has the same force as a law of Parliament."

So, it is very clear. We can go ahead with the Resolution. Shri Vajpayee.

**श्री अटल बिहारी वाजपेयी** (ग्वालियर) अध्यक्ष महोदय, मैं संकल्प पेश करता हूं कि :

"यह सभा राष्ट्रपति द्वारा 6 जुलाई, 1974 को प्रख्यापित अतिरिक्त उपलब्धियां (अनिवार्य निक्षेप) अध्यादेश, 1974 (1974 का अध्यादेश संख्या 8) का निरनुमोदन करती है।"

अध्यक्ष महोदय, इस अध्यादेश के द्वारा, जिसे देश के 1 करोड़ 80 लाख मजदूरों और कर्मचारियों द्वारा काले-अध्यादेश की संज्ञा दी गई हैं, सरकार ने मजूरी, वेतन और महंगाई भत्ते में होने वाली वृद्धि को अनिवार्य रूप से जमा करने का प्रबन्ध किया है। मजूरी और वेतन में जो भी बढ़ोतरी होगी उस का 100 फीसदी एक वर्ष के लिए जमा होगा और महंगाई भत्ते का 50 फीसदी सरकार दो वर्ष के लिए जबरिया अपने पास सुरक्षित रखेगी।

अध्यक्ष महोदय, यह अध्यादेश जिस उद्देश्य के लिए निकाला गया था, उसके

बारे में यह कहा गया था—मैं वित्त मंत्री द्वारा दिये गये वक्तव्य में से उद्धृत कर रहा हूं—उन के अनुसार —

"बढ़ती कीमतों और बढती महगाई पर दुष्चक्र को टालने के लिए कुछ प्रभावकारी कदम तत्काल उठाया जाना जरूरी था जिस से मुद्रास्फिनि के दबाव को रोका जा सके।" बढती कीमतों और बढती महगाई— दोनो के दुष्चक्र को रोकने के लिए यह कदम उठाये जाने का दावा किया गया है। अनजाने में ही वित्त मत्री महोदय ने मान लिया कि कीमते पहले बढती है और महगाई बाद मे बढ़ती है। अब अगर दुष्चक्र तोड़ना है—मै मानता हू यह दुष्चक्र तोडा जाना चाहिए—तो पहले प्रहार कीमतो पर होना चाहिए, आमदनी पर नही, लेकिन इस अध्यादेश के द्वारा जो मजूरी है, जो मजूरी कर्मचारी अर्जित करते है, जो मजूरी उनके पसीने की कमाई है, जो मजूरी उनके परिश्रम का फल है, जो वे अर्जित कर चुके है, उसे उन्हे लेने से वंचित किया जा रहा है। लेकिन कीमते रोकने के लिए, मूल्य-वृद्धि पर नियन्त्रण लगाने के लिए कोई प्रयास नही है।

13 00 hrs.

इस योजना के बारे मे तीन बाते मुख्य है। पहली बात तो यह है कि जबरिया जमा की योजना है, इसमें कर्मचारियो और मजूरो की इच्छा का सवाल नही है, वे देने के लिए विवश है— यह उनके साथ बलात्कार है। दूसरे इस योजना सें छोटे और बडे का भी भेद नही किया गया है। सभी पर समान रूप से सरकार हमला कर रही है। सब धान 22 पसेरी तौल रही है। तीसरी बात यह है कि मजूरी को एक वर्ष के लिए और महंगाई भत्ते को दो वर्ष के लिए जबरदस्ती जमा किया जायेगा लेकिन यह अवधि समाप्त होने के बाद जमा रकम तुरन्त वापिस नहीं की जायेगी, उसे पांच साल में वापिस किया जायेगा। सरकार उसको वापिस करने में 5 वर्ष लगायेगी। इसका अर्थ यह है कि कर्मचारी और मजूर पाच वर्ष तक अपनी अर्जित आय से वचित रहेंगे।

**श्री एम० रामगोपाल रेड्डी** (निजामाबाद) इन्ट्रेस्ट भी मिलेगा।

**श्री अटल बिहारी वाजपेयी :** मैं उस ब्याज की भी चर्चा करूगा।

यह स्पष्ट है कि वेतन वृद्धि मूल्य वृद्धि का कारण नही है, उसका परिणाम है। पहले महगाई बढती है, बाद मे वेतन या महगाई भत्ता बढाने की माग होती है। लेकिन कारण को दूर करने के बजाये, बीमारी की जड़ का इलाज करने के बजाये सरकार मजदूर और कर्मचारियो को उनके परिश्रम के फल से वचित करना चाहती है। वह रोग के लक्षण को ही रोग मान बैठी है। एक अनाडी वैद्य की तरह से वह बीमारी का ऐसा इलाज कर रही है जो बीमारी से भी ज्यादा खराब है। बीमारी है मूल्य वृद्धि की और इलाज यह किया जा रहा है कि कर्मचारियो और मजदूरो को उनकी अर्जित आय से लाभान्वित न होने दिया जाये।

कुछ लोगो ने अनिवार्य जमा को बेज फ्रीज कहा है, मेरी दृष्टि मे यह बेज-कट है केवल भविष्य के लिए इसे लागू नही किया जा रहा है, केन्द्रीय कर्मचारियो को जो महगाई भत्ता 1 अप्रैल से मिलना चाहिए था, यद्यपि अध्यादेश 6 जुलाई को जारी किया गया है। लेकिन उस महंगाई भत्ते को भी इस अध्यादेश की लपेट मे ले लिया गया है। 1 अप्रैल के बाद भी केन्द्रीय कर्मचारी महगाई भत्ते की दो किस्तों के प्राप्त करने के अधिकारी हो गए हैं लेकिन वह भत्ता उन्हें नहीं मिलेगा क्योंकि अध्यादेश बीच मे आ गया है। मेरा निवेदन है कि यह काला अध्यादेश श्रमजीवी वर्ग को उसके अधिकार से वंचित करने का कदम है, यह उसकी कमाई पर खुला डाका है, यह दिन दहाड़े की

[श्री अटल बिहारी बाजपेयी]

लूट है, यह मेहनतकशों पर हमला है और यह उन के साथ अन्याय है ।

एक करोड़ 80 लाख कर्मचारी आज महंगाई से पीड़ित हैं । महंगाई सरकार की गलत नीतियों का नतीजा है । उस महंगाई से निपटने के लिए कर्मचारियों और मजदूरों को आज रुपया चाहिए, उनके परिवार का बजट बिगड़ रहा है । उनका जीवन स्तर नीचे जा रहा है इस लिए इस अध्यादेश का कोई औचित्य नहीं है। यह बात स्पष्ट है कि मूल्य लगभग 25 प्रतिशत प्रतिवर्ष की दर से बढ़ रहे है जब कि वेतन और मजूरी में 5 प्रतिशत से भी ज्यादा की बढोतरी नही हुई है । दूसरी कड़वी सच्चाई यह है कि कुल कीमत, टोटल कास्ट, में मजूरी वेज-कास्ट का अंश निरंतर घटता जा रहा है । यह बात सुनने मे बड़ी विचित्र लगती है मगर यह सच है कि आज जहां उद्योगों मे मुनाफे बढ़ रहे हैं वहा मजूरी की वास्तविक मजूरी में कमी आ रही है । मजदूरों के परिश्रम से, प्रयत्न से उत्पादन बढता है, उत्पादकता में वृद्धि होती है, मुनाफे का अम्बार लगता है, कुछ लोग उस से लाभान्वित होते है लेकिन मजूरी में कमी आती है ।

आप नेशनल कमीशन आन लेबर, 1969 की रिपोर्ट देखें, उसका अंश मैं उद्धृत कर रहा हूं :

"To sum up, we note that increases in money wages of industrial workers since independence have not been associated with a rise in real wages, nor have real wage increases been commensurate with improvements in productivity. Simultaneously, wage costs as a proportion of total costs of manufacture have registered a decline, and the same is true about workers sharing the value added by manufacture."

रिजर्व बैंक ने भी एक सर्वे किया था, उसकी रिपोर्ट प्रकाश में आ चुकी है । यह 1650 कम्पनियों का सर्वे था । मै माननीय वित्त मंत्री का ध्यान उस रिपोर्ट के एक अंश की ओर दिलाना चाहता हूं :

"For all the 1,650 companies studied, the component of manufacturing expenses in the total value of production rose from 62.6 per cent in 1970-71 to 63.1 per cent in 1971-72, while there was marginal fall in the component of remuneration to employees from 15.4 per cent to 15.3 per cent."

वित मंत्री यह कहकर संतोष न करें कि जो भी कमी आई है वह मार्जिनल है यद्यपि मार्जिनल कमी भी वेतन और मजदूरी मे क्यों आनी चाहिए ? मुनाफा बढना है तो कर्मचारी या मजदूर की आमदनी क्यो घटनी चाहिए ? इसका अर्थ यह है कि आज जो देश में महगाई हुई है उसके लिए कर्मचारी या मजदूर को मिलने वाला वेतन अथवा महगाई भत्ता जिम्मेदार नही है। उसके कारण हमें और जगह ढूढने पड़ेंगे । यह जो अध्यादेश निकाला गया है इस के साथ अध्यादेशो की एक श्रंखला निकाली गई है और ऐसा लगता है कि सरकार अध्यादेशों के बल पर राज करना चाहती हैं । संसद के सामने अध्यादेशों पेश कर दिए जाते हैं, संवैधानिक औचित्य का भी ध्यान नही रखा जाता है । लेकिन एक बात देखने लायक है । सबसे अधिक बोझा बंधी बंधी तनखवाह पाने वाले वर्ग पर डाला गया है । मध्यम वर्ग पहले से ही पिस रहा है, उसके लिए जीवन यापन करना

कठिन है । जबरिया जमा योजना उसके लिए जीवन के बोझ को उठाना असह्य कर देगी ।

सरकार ने कहा है कि देश में मुद्रास्फीति के कारण गंभीर परिस्थिति पैदा हो गई है । मैं उद्धृत कर रहा हूं : समाज के सभी वर्गों को अस्थाई रूप से कुछ बलिदान करना आवश्यक हो गया है । इसलिए कम्पलसरी डिपाजिट के साथ कम्पनियो के डिवीडेन्ड पर रेस्ट्रिक्शन लगाने वाला अध्यादेश भी जारी किया है लेकिन आप दोनों अध्यादेशों की तुलना करें । तुलना से यह स्पष्ट हो जायेगा कि कम्पनियों के डिवीडेन्ड पर नियन्त्रण करने वाला अध्यादेश मालिकों और अफसरों के निजी खानों को नही छूता । उन की जेब नही काटता, उन की आज की आमदनी नहीं घटाता । उन्होंने जो कुछ कमाया है उस से उनको वंचित नही करता । कम्पनियां इस बात मे रोक दी गई है कि 33 33 फ़ीसदी मे अधिक मुनाफा न बाटे । लेकिन मुनाफा रहेगा उन्हीं के पास । वह मुनाफा सरकार नहीं ले रही हैं, वह कम्पनियों को उपलब्ध होगा जब कि मजदूर और कर्मचारी की कमाई सरकार ले रही है ।

दूसरी बात यह है कि जिस का मैंने पहले उल्लेख किया था । अनिवार्य जमा कानून सब पर लागू है । चपरासी पर भी लागू होगा और मैकेट्री पर भी लागू होगा। लोक सभा की लाइब्रेरी में काम करने वाले डी० पी० पांडे पर भी लागू होगा और कैबिनेट सैक्रेट्री श्री बी०डी० पाडे पर भी लागू होगा । दोनों पांडे इस की लपेट में पकड़े गये । लेकिन यह समानता का व्यवहार नहीं है । क्या 100 रु० कमाने वाला 3,000 रु० कमाने वाले की श्रेणी में रखा जा सकता है ? जो अधिक कमाते हैं क्या उन को अधिक बलिदान नहीं करना चाहिये ? जिनकी मजदूरी कम है, तनख्वाह कम है, क्या उन के साथ भी वही व्यवहार करना चाहिए जो ऊंचे से ऊंचे अधिकारी के साथ किया जा रहा है ? क्या यह सामाजिक न्याय की दिशा में बढ़ता हुआ कदम है ?

अध्यक्ष महोदय, डिविडेंड्स वाला कानून उन्हीं पर लागू होगा जो अपनी ईक्विटी का 12 परसेंट से अधिक डिविडेंड पाते है । वह अगर कम है, और हिसाब किताब में कम दिखाना असम्भव नहीं है, तो उन्हे उस से मुक्त रखा जायगा । 1972 में किये गये एक सर्वे के अनुसार 3,772 कम्पनियों मे से केवल 309 कम्पनियों ने 12 परसेंट से अधिक डिविडेंड उस साल के लिये घोषित किया था । केवल यही 309 कम्पनिया सरकार की गिरफ्त में आयेंगी , लेकिन इकोनामिक टाइम्स सर्वे के अनुसार केवल 105 कम्पनिया प्रभावित होगी जब कि एक करोड 80 लाख कर्मचारी और मजदूर सभी इस अध्यादेश की गिरफ्त में ले लिये गये ।

अध्यक्ष महोदय, मूल्य वृद्धि के कारणों में हमें गहराई मे जाना होगा । केवल कर्मचारियों और मजदूरो को उन के अर्जित वेतन से, महंगाई भत्ते से वंचित कर के हम मूल्य वृद्धि की समस्या पर विजय नही प्राप्त कर सकते । मूल्य वृद्धि का सब से बड़ा कारण है मुद्रा की आपूर्ति में, मनी सपलाई में अंधाधुंध वृद्धि । रिजर्व बैंक के अनुसार मुद्रा की मनी सप्लाई प्रतिवर्ष 15,16 फ़ीसदी की दर से बढ़ रही है इस के विपरीत माल के उत्पादन और सेवाओ के विस्तार में जो वृद्धि हो रही है वह नगण्य है । 1956 में जनता के पास नोटों के रूप में जो पूंजी थी वह 2,218 करोड की थी जो 1974 में बढकर 11,000 करोड रु० से ज्यादा हो गई ।

[ श्री अटल बिहारी वाजपेयी ]

मूल्य वृद्धि का दूसरा कारण घाटे की अर्थ-व्यवस्था है । प्रति वर्ष 700 से ले कर 850 करोड़ रु० तक की घाटे की अर्थ-व्यवस्था की जा रही है । केन्द्र और राज्यों के बजट घाटे के बजट होते है । घाटे को पूरा करने के लिये ओवर ड्राफ्ट का तरीका अपनाया जाता है । प्रथम योजना में 123 करोड रु० के ओवर ड्राफ्ट किये गये थे । दूसरी योजना मे यह राशि बढ कर 268 करोड़ हो गई और 1972–73 में यह 421 करोड़ तक पहुंच गई । इस बार आम बजट दो बार पेश हुआ है. रेलवे बजट भी दो बार पेश हुआ है । करो के बोझ मे आम आदमी जिस में कर्मचारी शामिल है, मजदूर भी है, वह पिसा जा रहा है । इतना भारी करारोपण 26 वर्षो में कभी नही हुआ । लेकिन फिर भी स्थिति क्या है ? 123 करोड़ रु० के नये टैक्स लगेंगे और 200 करोड रु० का खर्चा घटेगा । पता नही वह घटेगा कि नही, सरकार का इरादा है नगर सरकार के बहुत से इरादे केवल कागज पर रह जाते है, कृत्य में नही आते । लेकिन अगर मान लीजिए वह घट भी गया तो भी केन्द्र का घाटा 325 करोड़ रु० का होगा । इस में रेलवे का 56 करोड़ 44 लाख का घाटा शामिल है ।

मंहगाई का तीसरा कारण है सरकार के अनुत्पादक व्यय में बढौतरी । पहले कहा गया था अनुत्पादक व्यय 2 फ़ीसदी प्रतिवर्ष से अधिक नही बढने दिया जायगा । लेकिन वह 14 फ़ीसदी प्रतिवर्ष की दर से बढा है । महंगाई का सब मे बड़ा कारण है काला धन । काले धन की समानान्तर अर्थ-व्यवस्था चल रही है । काले धन से लोग भोग विलास की वस्तुए खरीदते है । उद्योगपति भोग और विलास की वस्तुओं का उत्पादन करते हैं, उन में अधिक लाभ होता है । आवश्यकता की वस्तुओं का उत्पादन पीछे छूट जाता है । काले धन की राशि 4,000 करोड़ से ले कर 10,000 करोड़ तक बतायी गई । वांचू कमीशन ने विमुद्रीकरण का सुझाव दिया था, सरकार ने उसे स्वीकार नहीं किया है । अभी भी जो पैकेज है, जिन कदमों की चर्चा वित्त मंत्री पैकेज के रूप में करते हैं मुद्रास्फीति से लड़ने के लिये, उस में काले धन के निकालने के लिये कौन सा ठोस कदम उठाया जा रहा है, इस का संकेत नही दिया गया है । अब माननीय चव्हाण साहब की झोली में, बस्ते में कोई और कानून हो शस्त्रागार में कोई और खंजर हो तो वह पार्लियामेंट की बैठक स्थगित होने तक प्रतीक्षा न करें, उस को सदन के सामने ले आये । अध्यादेशों द्वारा लोगों को आश्चर्य में डालने की नीति छोड दें । जो भी कदम उठाना है उस पर ससद की सहमति प्राप्त करें । काले धन के निकालने के लिये सरकार कठोर से कठोर कार्यवाही करे, सदन का समर्थन उस को प्राप्त होगा । सरकार को पहला काम करना चाहिये डीमौनीटाइजेशन, और दूसरा काम उद्योगपतियों से पैसा ले कर चुनाव लड़ना बन्द कर देना चाहिये ।

अध्यक्ष महोदय, मूल्य वृद्धि के लिए आवश्यक वस्तुओं के उत्पादन में गिरावट भी एक कारण है । जैसा मैं ने पहले कहा कि उद्योगपति विलास की वस्तुओ के उत्पादन को बढाने पर अधिक बल देते है क्यों कि उस से अधिक मुनाफ़ा होता है और आवश्यकता की वस्तुओं के उत्पादन की उपेक्षा हो रही है । जरूरत की चीजों पर टैक्स लगाने की सरकार की नीति भी महंगाई के लिये जिम्मेदार है । अभी जो बजट आया यद्यपि कहा गया है कि ऐसी वस्तुओं पर टैक्स लगे हैं जो आम आदमी के प्रतिदिन के जीवन के लिये आवश्यक नही हैं । लेकिन कुल मिला कर आप बाजार की हवा देखें, भाव देखें तो वित्त मंत्री द्वारा प्रस्तुत बजट से और रेलवे बजट से मंहगाई बढ़ी है, मूल्य सूचकांक में वृद्धि हुई है । जब अप्रत्यक्ष कर बढ़ते हैं चाहे एक्साइज ड्यूटी के रूप में हों, या बिक्रीकर

के रूप में, तो उस का प्रभाव मूल्यों पर पड़ता है।

अध्यक्ष महोदय, प्राइवेट और पब्लिक सैक्टर में जो क्षमता है उस का पूरा उपयोग न करने के कारण भी उत्पादन में कमी है और आवश्यकता की वस्तुएं उपलब्ध नहीं है। करों की चोरी रोकने में सरकार असमर्थ रही है। उस दिन श्री गणेश ने एक सवाल के जवाब में बताया था कि आय कर, सम्पत्ति कर और भेंट कर आदि देनदारों से 31 मार्च, 1974 तक, 874 करोड़ 50 लाख रुपया बकाया है। ये देनदार छोटे छोटे देनदार नहीं है, बड़े बड़े मगरमच्छ है। कितना आयकर, कितना सम्पत्ति कर माफ कर दिया, अगर इस का हिसाब लगाया जाए, तो कर्मचारियों का जितना धन आप रोकना चाहते है, वह उस की तुलना में नगण्य ही बैठेगा।

भ्रष्टाचार के कारण भी मूल्य-वृद्धि हो रही है। वनस्पति का दाम किसने बढ़ाया? नियन्त्रित कपड़े के मूल्य में वृद्धि करने के लिये कौन जिम्मेदार है? उत्तर प्रदेश में चुनाव के दिनों में चीनी की कीमत में वृद्धि की इजाजत देने का फैसला किस ने किया? इस के बदले में क्या लिया गया, इस की मैं चर्चा नहीं करता लेकिन अगर व्यापारी दाम बढ़ाए, तो वह दोषी है और अगर सरकार दाम बढ़ाए, तो वह आर्थिक विकास के लिए दाम बढ़ा रही है। यह बात किसी के गले से नीचे नहीं उतर सकती है।

अध्यक्ष महोदय मेरा निवेदन यह है कि अगर मुद्रा-स्फीति से लड़ना है, तो सरकार आर्थिक समस्याओं की बुनियाद में जा कर उन को हल करे। ऊपर से लीपा-पोती करने से, मजदूरों और कर्मचारियों को बलि का बकरा बनाने से, जो वर्ग पहले से महंगाई से पीड़ित है, उस को और ज्यादा उत्पीड़न पहुंचाने से, समस्या हल नहीं होगी।

कभी कभी यह कहा जाता है कि महंगाई केवल भारत में ही नहीं है बल्कि यह दुनिया के और देशों में भी बढ़ी है। दुनिया के और देशों में महंगाई बढ़ी है इस में संदेह नहीं है लेकिन उन से हमारी तुलना गलत है। अगर एक विकसित देश में 10 फीसदी महंगाई बढ़ी है, तो वहां पर मजदूरों की आमदनी 15 प्रतिशत बढ़ी है। इस स्थिति में बन्धे बंधाये वेतनभोगी वर्ग को [illegible] नहीं कहा जाएगा। दूसरी बात यह [illegible] में 60 फीसदी लोग ऐसे है जो गरी[illegible] के नीचे कंगाली का जीवन बिता[illegible] है। उन में मुद्रा-स्फीति की मार सहने की क्षमता नहीं है। उन के आगे लचीला नहीं है। आज मजदूर की आमदनी का 60 से 95 फीसदी खर्चा अनाज पर होता है, खाने की चीजों पर होता है उस में वह कमी कैसे कर सकता है? अमेरिका में स्थिति भिन्न है। वहां पर 20 से 25 फीसदी खर्चा खाने की चीजों पर होता है।

अध्यक्ष महोदय, वित्त मंत्री महोदय कहते है कि कर्मचारियों को, मजदूरों को महंगाई भत्ता न देने से हम 500 करोड़ रुपया बचा लेंगे लेकिन क्या इस बात को वे नजरअन्दाज कर सकते है कि कर्मचारी अपना खर्चा चलाने के लिए कर्ज लेने को मजबूर होंगे, रुपये का चलन रुकेगा नहीं। सरकार अगर आज उन को रुपया नहीं देगी, तो उन का खर्चा कैसे चलेगा। वे दूसरे लोगों से जा कर ऋण लेंगे और अपनी आवश्कताएं पूरी करेंगे। उन की आवश्यकताएं ऐसी नहीं है जिन को काटा जा सके। बच्चों को दूध चाहिए, बीमार बाप को दवा चाहिए। छोटे से मकान में रहने के लिए मकान भत्ता चाहिए। आज तो 260 रुपये कैपिटल गेन्ज़ बिक रहा है।

**श्री एस० एम० बनर्जी** : 275 रुपये।

**श्री अटल बिहारी वाजपेयी** । बनर्जी साहब कह रहे हैं कि 275 रुपये कैपिटल है। अब ऐसी स्थिति मे कर्मचारी, मजदूर कैसे अपना काम चलाए। शिन्दे साहब कहते हैं कि दिल्ली मे केन्द्रीय कर्मचारियो के लिए हम ने राशन का पुरानों से गेहूं का इन्तजाम कर दिया है मगर दिल्ली सारा देश तो नही है। कई राशन की दुकानो पर अनाज उपलब्ध नही है, कुछ को राशन मिलता नही है और राशन शॉप जो अनाज मिलता है, वह कैसा अनाज है, वह जरा हमारे मंत्री महोदय खा कर देख।

**श्री एस० एम० बनर्जी** अभी राशन की दुकानो पर लिखा हुआ है, अनाज नही है, रुपया मागने का कष्ट न करे।

**श्री अटल बिहारी वाजपेयी** · हरेक कर्मचारी को वित्त मंत्री जी के सामने प्रदर्शन करना पडेगा कि जबरिया जमा मागने का कष्ट न करे। यह जबरिया है, स्वैच्छिक नही। उन को अनिवार्यत देना पडेगा और झक मार कर देना पडेगा।

अध्यक्ष महोदय, रुपये की कीमत निरन्तर घटती जा रही है। अगर 1956 के दामो के हिसाब से हम देखे तो रुपये की कीमत 25 पैसा रह गई है। उस दिन सरकार ने एक सवाल के जवाब मे बताया था कि रुपये की कीमत 28 पैसे रह गई है। अब जो पेशन लेने वाले लोग है, उन की क्या हालत है। सख्या मे तो रुपया उतना ही मिलता है, लेकिन उस की कीमत क्या है कितना रुपया रह जाएगा। पांच साल बाद जो दिया जाएगा उस की कीमत कम होगी। मुद्रा-स्फीति उस रुपये की कीमत को और घटा देगी। ( व्यवधान )

कुछ और बातें है, जिन का मे सक्षेप मे उल्लेख करना चाहूगा। उदाहरण के लिए वित्त मंत्री महोदय ने इस बात का ख्याल नही किया कि अध्यादेश जारी करने से पहले जिन मजदूरो ने समझोते के द्वारा अपनी मजदूरी या अपने भत्ते मे वृद्धि कराने मे सफलता पाई थी, उन का क्या होगा ? क्या वह भी वचित किये जायेगे ? क्या उन्हे वचित करना न्यायपूर्ण होगा ?

दूसरी बात वह है कि अतिरिक्त मजदूरी और वेतन का भुगतान एक वर्ष के बाद होगा और अतिरिक्त महगाई भत्ते का भुगतान दो वर्ष के बाद होगा। क्या हरेक कर्मचारी के दो दो हिसाब रखने पडेगे और अगर दो दो हिसाब रखने पडेगे, तो कितना खर्च होगा ।

तीसरी बात यह है कि उन कारखानो मे काम करने वाले मजदूरो का क्या होगा, जिन का कोई टाइम स्केल आफ पे नही है। आपने अध्यादेश मे टाइम स्केल आफ पे की बात कही है। कुछ ऐसे लोग है जो जितना काम करते है, उतनी मजदूरी ज्यादा पाते है। उन के एड-हाक इन्क्रीमेट होते हैं लेकिन विधेयक के द्वारा वही लिया गया है which is due to the employees in accordance with the time-scale of pay,

लेकिन जिन का टाइम स्केल आफ पे नही है, उन की क्या स्थिति होगी।

चौथा सवाल यह है कि एम्पलाइज जैसे के आर्डनेन्स फैक्टरियो मे काम करने वाले एम्पलाइज और दूसरी जगह काम करने वाले एम्पलाइज के बारे मे क्या होगा। आज स्थिति यह है कि वह ज्यादा काम करते

13.26 hrs.

[MR DEPUTY-SPEAKER *in the Chair*]

अभी कुछ हमारे कांग्रेसी मित्र कह रहे थे कि जो जबरिया जमा कराया जाएगा, उस पर 11 फीसदी ब्याज मिलेगा। 11 फीसदी ब्याज मिलेगा, यह सच है लेकिन जब इन्फ्लेशन की दरें 27 फीसदी हों, तब

हैं तो ज्यादा कमाते हैं लेकिन इस अध्यादेश के कानून बनाने के बाद अगर वे ज्यादा काम करेंगे तो घाटे में रहेंगे। तो वे ज्यादा काम क्यों करेंगे ? भविष्य में उनको मिलेगा इस आशा से वे आज ज्यादा काम नहीं करेंगे।

उपाध्यक्ष महोदय, जब सरकार अपने कर्मचारियों को महंगाई भत्ते से वंचित कर रही है, तो प्राइवेट मालिकों को किस मुंह से कहेगी कि उन्हें मजदूरों के साथ न्याय करना चाहिए। कमीशन कमाने वाले भी कठिनाई में पड़ेंगे। उपाध्यक्ष महोदय, पता नहीं, वित्त मंत्री के कौन सलाहकार है ?

**श्री मधु लिमये** : उन को भी मालूम नहीं है ? प्रधान मंत्री के सचिवालय ने मस्वीदा भेजा है।

**श्री अटल बिहारी वाजपेयी** : प्रधान मंत्री का सचिवालय एक समानान्तर सरकार बन गया है। नौकरशाहों के इशारे पर देश की अर्थनीति निर्धारित की जा रही है। अमेरिका के नये प्रेसीडेंट का मैं एक उद्धरण देना चाहता हूं। वित्त मंत्री इस पर गंभीरता से विचार करें। प्रेसीडेंट फोर्ड ने अभी कहा है

> "American wage-earner and the American housewife are a lot better economists than most economists care to admit."

इन अध्यादेशों के बारे में अगर जनता की प्रतिक्रिया जाननी है, तो केन्द्रीय कर्मचारियों या मजदूरों की पत्नियों से पूछिये।

**श्री एस० एम० बनर्जी** : इन मिनिस्टर्स की पत्नियों से भी पूछ कर देखें।

**श्री अटल बिहारी वाजपेयी** : मिनिस्टर्स की पत्नियां नहीं बता सकती। मैं यह मांग करने वाला हूं कि आप जब केन्द्रीय सरकार और मजदूरों को मजबूर कर रहे हैं इस संकट के समय अपना बलिदान करने के लिए, तो मंत्री चाहे वे केन्द्र के हों, चाहे राज्यों के हों, पार्लियामेंट के मेम्बर और स्टेट एसेम्बलीज के सदस्य, वे क्या कर रहे हैं। आप लोग भी आगे आएं और कहें कि जितनी हमारी तनख्वाह है, जितना हमारा भत्ता है, उस का 10 फीसदी जमा किया जाए और कांग्रेस के मेम्बर इस को पारित कर के बतायें।..... **(व्यवधान)**

मैं यह मांग करना चाहता हूं कि कम्पलसरी डिपोजिट का कानून वापस ले लेना चाहिए और सदन को यह अध्यादेश रद्द कर देना चाहिए, लेकिन अगर सरकार अपने पाशवी बहुमत के बल पर मजदूरों या कर्मचारियों के जीवनयापन के स्तर को घटाने पर तुली हुई है, तो मैं मांग करता चाहता हूं कि 400 रुपये तक पाने वाले मजदूरों और कर्मचारियों को इस जबरिया जमा से मुक्त कर दिया जाना चाहिए।

एक बात और है कि मजदूरों या कर्मचारियों ने कलक्टिव बारगेनिंग कर के 6 जुलाई से पहले या उस के बाद समझौता कर के अगर कुछ प्राप्त किया है, तो वह इस विधेयक की परिधि में नहीं आना चाहिए।

उपाध्यक्ष महोदय, यह ठीक है कि विधेयक में कहा गया है कि कठिनाइयों का विचार किया जाएगा, लेकिन किसी परिवार में अगर शादी है, जवान बेटी बैठी है और बिना दहेज के शादी नहीं होती, क्या उसे मुक्त नहीं रखा जाएगा ? किसी परिवार में कमाने वाला अकाल मृत्यु को प्राप्त हो जाए, परिवार का बजट बिगड़ जाए, परिवार का भविष्य अंधकारमय हो जाए, क्या उसका खयाल नहीं रखा जाएगा ? मैं नहीं चाहता हूं कि इस संबंध में सरकार को या सरकारी अफसरों को कोई भेदभाव या

[श्री अटल बिहारी वाजपेयी]

पक्षपात करने का मौका दिया जाए। हमने इस आशय के संशोधन दिए हैं और चाहा है कि कानून कठिनाइयों का उल्लेख होना चाहिये और सब कर्मचारियों के साथ एक सी नीति का व्यवहार होना चाहिये।

मैं आशा करता हूं कि सदन मेरे इस संकल्प को स्वीकार करेगा और इस अध्यादेश का निरनुमोदन करेगा और अगर वह ऐसा नहीं करता है तो फिर जो हमने संशोधन रखे हैं उन पर हम कदम कदम पर लड़ेंगे, एक एक धारा पर इस बारे में लड़ाई होगी मैं आशा करता हूं कि वित्त मंत्री खुले दिमाग से बैठे हैं और ऐसा नहीं करेंगे जैसा कल श्री चट्टोपाध्याय जी ने किया था। अगर वह खुले दिमाग से बैठे हैं तो इस काले अध्यादेश की भी कुछ कालिख कम की जा सकती है। देखें कितनी कम होती है।

MR. DEPUTY-SPEAKER. Resolution moved:

"This House disapproves of the Additional Emoluments (Compulsory Deposit) Ordinance 1974 (Ordinance No. 8 of 1974) promulgated by the President on the 6th July, 1974".

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN): I move*:

"That the Bill to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in ~~and for the framing of a scheme in~~ connected therewith or incidental thereto, be taken into consideration".

SHRI MADHU LIMAYE: On a point of order.

MR. DEPUTY-SPEAKER: Unless he has made his speech, he has not moved it. He is in the process of moving it.

श्री मधु लिमये: मूव तो किया है लेकिन वे भाषण न दें। मेरा प्वाइंट आफ आर्डर है। इस शक्ल में बिल नहीं आ सकता है। पहले आप मेरा प्वाइंट आफ आर्डर सुन लें।

श्री यशवन्त राव चव्हाण: इंट्रोडक्ट्री स्टेज पर तो इन्होंने रेज किया था।

श्री मधु लिमये: यह नया है। इतनी मूर्खता मैं नहीं करूंगा कि उसी को दुबारा उठाऊं। अटल जी की आज्ञा का पालन कर रहा हूं कि कदम कदम पर लड़ेंगे।

SHRI YESHWANTRAO CHAVAN: The circumstances necessitating the promulgation of the Ordinance as a part of the various anti-inflationary measures adopted by Government have already been explained in the statement I laid on the Table.

SHRI MADHU LIMAYE: On a point of order.

MR. DEPUTY-SPEAKER: He has a point of order. I have to listen to him

SHRI YESHWANTRAO CHAVAN: If you order me, I sit down.

श्री मधु लिमये: जिन मुद्दों पर निर्णय उस दिन हो चुका है उनको मैं उठाना नहीं चाहता हूं। इनके स्टेटमेंट आफ आबजेक्टस एंड रीजन्स को देखें।

MR. DEPUTY-SPEAKER: Your point is that this Bill cannot be moved for consideration.

SHRI MADHU LIMAYE: Yes.

मैं समझता हूं कि यह विधेयक चर्चा के लिए नहीं आ सकता है। इसके स्टेटमेंट आफ आबजेक्टस एंड रीजन्स के पेज 15 पर यह लिखा है

*Moved with the recommendation of the President.

"The Bill seeks to replace the said Ordinance with certain modifications which are mainly of a clarificatory or procedural nature."

इन्होंने कहा है कि आर्डिनेंस में और इस विधेयक में थोड़ा फर्क है लेकिन वह फर्क केवल प्रक्रिया के सम्बन्ध में है। अब आपके पास अगर आर्डिनेंस नहीं है तो इसे आप मंगा लें। और यह बिल है। आर्डिनेंस के सैक्शन 2 को आप देखें और इसके भी क्लाज 2 को देखें। इसमें नया एक्सप्लेनेशन जोड़ दिया गया है। उसी तरह पेज 3 पर एक्सप्लेनेशन जोड़ दिया गया है। इससे स्पष्टीकरण नहीं होना है। जो आर्डिनेंस की मूल धारायें हैं उनमें बुनियादी परिवर्तन किया जा रहा है। कुछ बातें मैं आपके सामने उदाहरण के तौर पर रखना चाहता हूं।

MR. DEPUTY-SPEAKER: What is your point of order?

**श्री मधु लिमये** : स्टेटमेंट आफ आब्जैक्टस एण्ड रीजंस में इन्होने सदन को गुमराह किया है। सही स्थिति सदन के सामने नहीं रखी और इसलिए इस विधेयक के बारे में गलत धारणा हो सकती है। इनके स्टेटमेंट आफ आबजैक्ट्स एण्ड रीजंस पर विश्वास करके मैंने आर्डिनेंस देखने का पहले प्रयास नहीं किया था। लेकिन जैसे जैसे सरकार का असली स्वरूप सामने आने लगा तो मैंने भी सोचा कि इसको छोड़ना नहीं चाहिये, देखना चाहिये। मैंने फिर आर्डिनेंस और विधेयक दोनों की तुलना करनी शुरू कर दी। इस काम में लाइब्रेरी में जो रिसर्च असिस्टेंट्स हैं उन्होंने भी मेरी बड़ी मदद की और हम दोनों जब बैठे तब हमको पता चला कि इसमे बड़े बुनियादी परिवर्तन किए गए हैं। यह जिन्दगी और मौत का सवाल है। एक करोड़ अस्सी लाख मजदूरों का यह सवाल है। बुनयादी परिवर्तनों का ही मैं केवल उल्लेख कर रहा हूं।

MR. DEPUTY-SPEAKER: Even assuming there are changes how does it stand in the Bill being moved?

**श्री मधु लिमये** : अगर उन्होंने कहा होता कि विधेयक विद सम चेंजिज और उसकी सूची..... (इंटरप्शंज) क्या उनको सदन को गुमराह करने का अधिकार है? मैं तर्कों में नहीं जाना चाहता। मैं मुद्दों को रखता हूं। आप रूलिंग दें।

इनके तथाकथित स्पष्टीकरण का नतीजा होगा कि हमारी बम्बई लेबर यूनियन ने हिन्दुस्तान लिवर के साथ एक करार किया। मैं इलस्ट्रेशन दे रहा हूं। एक अप्रैल 1970 से वह लागू होने वाला है—

MR. DEPUTY-SPEAKER: You are making a full-scale submission whereas you are talking on a point of order. Let me clarify the position. You raised the point of order that this Bill cannot be taken into consideration. I would like you to confine to that. What are the grounds?

**श्री मधु लिमये** : प्वाइंट आफ आर्डर समझेंगे कैसे। स्टीम रोलर घुमाने से काम नहीं चलने वाला है (इंटरप्शंज)

**अध्यक्ष महोदय**, आर्डिनेंस में 21 सैक्शंस हैं और इसमें 27 है। एक तो एक्स्ट्रा आएगा ही रिपील वाला लेकिन 6 अतिरिक्त हैं। एक-एक सैक्शन में नई बातें जोड़ दी गई हैं। आप मुझे यह एस्टैब्लिश क्यों नहीं करने देते हैं? उसके बाद मैं आगे करने वाला हूं कि इसमें महत्वपूर्ण परिवर्तन किए गए हैं जिससे आर्डिनेंस का पूरा स्वरूप परिवर्तित हो गया है।

MR. DEPUTY-SPEAKER: Assumeing there are changes how does it stand in the Bill being moved.

SHRI MADHU LIMAYE: Unless I give you illustrations how you will understand?

[श्री मधु लिमये]

स्टेटमेंट आफ आबजैक्टस तो नियम के अनुसार दिए जाते है और स्टेटमेंट आफ आबजैक्टस एण्ड रीजन्स इसकी जानकारी के लिए होते है कि लोग समझे कि इसका उद्देश्य क्या है ? ये गुमराह मिसलीड करने के लिए नही होते है । तो मेरा प्वाइंट आफ आर्डर पहला है स्टेटमेंट आफ आबजैक्टस एण्ड रीजन्स के ऊपर । हम लोग जब बिल देते है तो हमको स्टेटमेंट आफ आबजैक्टस एण्ड रीजन्स देने पड़ते है, इनको भी देने पडते है । स्टेटमेंट आफ आबजैक्टस एण्ड रीजन्स मे कोई गुमराह करने वाली बात नही होनी चाहिए । यह मैं कामनसेंस की बात कर रहा हूं । इसमे कोई नियम उप-नियम की आवश्यकता नही है । स्टेटमेंट आफ आबजैक्टस एण्ड रीजन्स में सदन को गुमराह करने का प्रयत्न नही करना चाहिए । यह मेरा पहला प्वाइंट है । इसके लिए आपको देखना पडेगा कि जो परिवर्तन किए गए है वे क्लैरिफिकेटरी है या बुनियादी हैं, कैसे है ?

MR. DEPUTY-SPEAKER: Now, you please conclude.

**श्री मधु लिमये** . समाप्त कैसे करूगा ? यह अभी पूरा नही हुआ । हर विधेयक के साथ क्लाजेज के स्पष्टीकरण के लिए नोट होते है । इस बिल मे जानबूझकर नही दिया गया है । कई लेजिस्लेशन मैं आपको निकाल कर बता सकता हू जिसमे हर क्लाज के स्पष्टीकरण का नोट होता है । इसमे इसलिए नही दिया क्योंकि इनके ऊपर यह नौबत और जिम्मेदारी आती और इनको य ह कहना पडता कि ये आर्डिनेस से अलग है । तो मेरा कहना है कि हर विधेयक के साथ क्लाजेज का स्पष्टीकरण करने वाला ज्ञापन उसके साथ साथ जुडा हुआ रहता है और वह इसके साथ नही है, यह मेरा इसके बारे मे दूसरा मुद्दा है । और यह इन्होने जाननूझ कर किया है । इसमे मैं सीधे इनके सदहेतु के बारे मे संदेह व्यक्त करता हू । मुझे इसमें कोई संदेह नहीं है क्योंकि इन्होंने जानबूझ कर यह एक्सप्लेनेटरी नोट नहीं दिया है जब कि दूसरे बिलो के बारे में बराबर देते हैं । फाइनेंस बिल के बारे में आपने दिया है ।

मेरा तीसरा यह आरोप है । सैक्शन 20 आर्डिनेंस को आप देखे और इस विधेयक का सैक्शन 17 देखें । अब इसमे भी इनकी मोटिव के ऊपर हमे हमला करना पड़ेगा । मैं व्यक्तिगत चव्हाण साहब की बात नही कर रहा हूं, मै सरकार की बात कर रहा हू ।

MR. DEPUTY-SPEAKER: Motives are not a point of order.

**श्री मधु लिमये** अच्छा, छोड देता हू । बडे अच्छे उद्देश्य मे सरकार प्रेरित हो गई है यही मान कर चलता हूं ।

अगर आप देखेंगे तो आपको पता होगा पहले मर्तबे मैने क्लाज 17 के बारे मे अर्ज किया था कि यह भी सबॉर्डिनेट लेजिस्लेशन मे आता है ।

MR. DEPUTY-SPEAKER: Now, you are discussing merits of the Bill.

**श्री मधु लिमये** : नही, नही, मेरिटस मे मै बिलकुल नही जा रहा हू । उस समय जब हम लोगो ने यह सवाल उठाया था तो गोखले साहब ने कहा कि यह सबॉर्डिनेट लेजिस्लेशन नही है, यह कण्डिशनल लेजिस्लेशन है ।

MR. DEPUTY-SPEAKER: Now, you explain to me how Clause 17 as it stands will stand in the way of the Bill being considered. That is the limited question.

**श्री मधु लिमये** : मैं वही बता रहा हू कि आर्डिनेंस मे जो इस क्लाज का कंटेंट है वह सीधे सबार्डिनेट लेजिस्लेशन मे आता है । इसके बाद में ये चालाकी करके उसका रूल मेकिंग पावर के दायरे से हटा कर बिल की मूल बाडी में ले आए और आपके सामने सफाई क्या दी :

This is conditional legislation. This is not governed by the Rule relating memorandum of delegated legislation.

इसलिए मैं कह रहा हूं कि डेलीगेटेड लेजिस्लेशन के बारे में जो आपके नियम हैं उन की अवहेलना, उनका उल्लंघन करने के लिए, उनके ऊपर लीपापोती करने के लिए इस क्लाज का जो कंटेंट रूल मेकिंग पावर में था उसको बदल कर 17 में लाए हैं और उसकी कोई सफाई या स्पष्टीकरण नहीं दिया है। आज तक मैंने बहुत सारे विधेयक देखे। लेकिन इसमें एक के बाद एक फ्राड भरे पड़े है।

**श्री सत्पाल कपूर** (पटियाला) : उपाध्यक्ष महोदय, यह जो इनकी मर्जी आए कहते जायं फ्राड, झूठ, दगाबाजी, यह क्या है ?

**श्री मधु लिमये** : यह कान्स्टीट्यूशनल एक्सप्रेशन है फ्राड।

committed a fraud on the Constitution, on the Parliament's power of legislation.

चव्हाण साहब ने कोई फ्राड इंण्डियन पीनल कोड मे किया है यह मै नही कह रहा हू। .... (**व्यवधान**).... ये मेरा समय बिगाड रहे हैं।

MR. DEPUTY-SPEAKER: Order please. Let us not lose more time, Mr. Sat Pal Kapur. Leave him to me. Mr. Madhu Limaye, you have made your point.

**श्री मधु लिमये** : आप ऐसा कैसे कहते है ? मैं नये नये प्वाइंटस दे रहा हूं और आप कहते है कि यू हैव मेड योर प्वाइंट।

MR. DEPUTY-SPEAKER: Mr. Madhu Limaye, please conclude. You have made your point.

**श्री मधु लिमये** : आप मेरे मन में जो बातें हैं वह क्या जानते हैं ? मेरा जो मुद्दा है स्टेटमेंट आफ आबजैक्टस एण्ड रीजन्स के बारे में उसके ऊपर दो प्वाइंट मैंने दिए। अब क्लाज 10 देखिए।

MR. DEPUTY-SPEAKER: Mr. Madhu Limaye, kindly sit down. You have made a number of points and I am exercised with this main point in what way this Bill cannot come before the House. You have made those points.

SHRI MADHU LIMAYE: No.

MR. DEPUTY-SPEAKER: You have made that.

**श्री मधु लिमये** : मैं नया प्वाइंट रख रहा हू। मै पुनरुक्ति नही करना चाहता। मैं रिपीट करता ही नही। जिनके पास मुद्दे नहीं रहते हैं वे रिपीट करते हैं। अब आप सैक्शन 10 देखें बिल का। इसके ऊपर मै बहुत नहीं बोलने वाला हूं। समय बचाने के लिए मैं संक्षेप में अपनी बात कह रहा हू। श्री सोमनाथ चैटर्जी साहब चूंकि लाइयर है वह रखेंगे। हमने तो कभी ला पढ़ा नहीं। सैक्शन 10 देखें.....

MR. DEPUTY-SPEAKER: You have made that point. I think you are again outside the scope of the point of order.

**श्री मधु लिमये** : एक मिनट में मैं खत्म करता हू। सैक्शन 10 सब-सैक्शन (3) देखें, इसके अन्दर सरकार को स्कीम बनाने का, योजना बनाने का अधिकार दिया गया है और उनकी शब्दावली क्या है.

"and this Section shall have effect notwithstanding anything contained in any law."

इसका मतलब है कि राज्य सरकारों के द्वारा लिस्ट (2) और लिस्ट (3), स्टेट लिस्ट और कान्करेंट लिस्ट के तहत वैध तरीके

[ श्री मधु लिमये ]

से, संवैधानिक तरीके से जो कानून बनाए गए हैं, ये एक आर्डर के द्वारा, एक नोटिफिकेशन के द्वारा उन कानूनों को खत्म करना चाहते है। इस पार्लियामेंट के कानून से नही, एक नोटिफिकेशन और आर्डर के द्वारा उन कानूनो को ये खत्म करना चाहते है। क्या इस तरह इस सदन को दूसरों के अधिकारों पर अतिक्रमण करना चाहिए? जब हम सदन के प्रिविलेजेज की बात करते हैं तो हम लोग इस बात का भी ध्यान रखते है कि हमारा सदन दूसरे विधिमंडलों के अधिकारो पर अतिक्रमण न करे।

MR. DEPUTY-SPEAKER: Mr. Banerjee, what do you want?

SHRI S. M. BANERJEE: Sir, I would like to make a submission.

MR. DEPUTY-SPEAKER: We are concerned with the point of order. You are aware of the point of order.

SHRI S. M. BANERJEE: Sir, when you were not in the Chair, we raised a point of order on this.

MR. DEPUTY-SPEAKER: I am not concerned with what happened before I came to the Chair. I am prepared to listen to you. I only want you to be relevant.

SHRI S. M. BANERJEE: Sir, why should not anticipated irrelevance?

MR. DEPUTY-SPEAKER: I will allow you. Mr. Madhu Limaye has raised a point that this Bill cannot be taken up for consideration. This is the point of order. I would like you to confine your submissions to this only.

SHRI S. M. BANERJEE: Sir, I am only on this point. I have three points. When the Speaker quoted the ruling that this can be discussed even though the highest judiciary, the Supreme Court is seized of the matter....

MR. DEPUTY-SPEAKER: What do you say about that?

SHRI S. M. BANERJEE: You are writing something. Please hear me, Sir.

MR. DEPUTY-SPEAKER: I am trying to summarise and categories the points raised by Shri Madhu Limaye.

SHRI SOMNATH CHATTERJEE (Burdwan): Please don't write out the judgment before hearing us.

MR. DEPUTY-SPEAKER: No, no.

SHRI S. M. BANERJEE: I rely on the observation made by Shri Limaye regarding clause 10 of the Bill. I will not develop it, it will be developed more effectively by Mr. Somnath Chatterjee. Thirdly, once this Bill becomes an Act, all the legislations passed by this august House, namely, the Payment of Bonus Act, the Payment of Wages Act, the Minimum Wages Act, the Industrial Disputes Act, etc. will become infructuous.

MR. DEPUTY-SPEAKER: All this can be said when the Bill is taken into consideration. How do they stop us from proceeding with this?

SHRI S. M BANERJEE Should a Bill be discussed which will negate all the other Acts passed by this House?

MR. DEPUTY-SPEAKER: You can throw out clause 10 or even the entire Bill if you can when it comes up for consideration.

SHRI S. M. BANERJEE: They are in a huge majority. How we can throw out anything unless you come to our rescue?

SHRI SOMNATH CHATTERJEE: Sir, the point I am going to make is one of great substance and I request

the Finance Minister to listen to me. So far as this House is concerned, our power is supreme within the legislative list assigned to Parliament, i.e. Lists I and III. But if we want to amend any law made by Parliament it can be done only by enacting another legislative provision. We can certainly do it. But the question is, has the Parliament the power to provide that a Joint Secretary or Deputy Secretary or Under Secretary can stop the operation of any Act or change the operation of any Act solemnly passed by Parliament.

MR. DEPUTY-SPEAKER: The main point is, What stands in the way of this Bill being taken into consideration.

SHRI SOMNATH CHATTERJEE: We cannot abdicate our function. We are allowing the bureaucracy and the Government to ride rough-shod over an Act which has been enacted by the Parliament. The application of a statute which has been duly enacted by this House cannot be altered by a Scheme which is nothing but rules to be framed by the bureaucracy and the Government.

MR. DEPUTY-SPEAKER: That is exactly what we should consider now.

SHRI SOMNATH CHATTERJEE: Can the House allow a subordinate legislation to alter an Act which has been passed by this House? I cannot understand, by rule-making power, you give the power to the bureaucracy to affect the operation of a statute passed by the Parliament. Can the Parliament allow the laws to be tinkered by the bureaucracy? Can the rulemaking power affect the operation of the laws?

MR. DEPUTY-SPEAKER: That is exactly what we should consider now.

SHRI SOMNATH CHATTERJEE: Before we continue with the consideration of it, I ask, can a rule-making power affect the operation of a statute Clause 10 says....

MR. DEPUTY-SPEAKER: Before the Minister moves a formal motion for consideration, we have started considering it.

SHRI SOMNATH CHATTERJEE: It says:

> "....every scheme framed under this section shall have effect notwithstanding anything contained in any law (other than this Act) for the time being in force...."

It means, whether it is a State law, whether it is a Municipal law, whether it is a Central law, it is subject to the rule-making power of the Central Government by notification which is to be done by an Under Secretary. This cannot be done. The Parliament will be failing in its duty if it allows that.

MR. DEPUTY-SPEAKER: Nothing prevents the House from throwing out this clause.

SHRI ATAL BIHARI VAJPAYEE: Is it to be decided by majority vote?

MR. DEPUTY-SPEAKER: Of course the House has to decide it. How else do we do it.

SHRI SOMNATH CHATTERJEE: A similar provision was made in the companies Act, When an objection was taken. I am happy, the Law Minister realised the importance of it and he withdrew that.

SHRI H. N MUKERJEE (Calcutta —North-East): Sir, may I submit you have got to apply your mind to it. It goes into the root of the parliamentary working. On the face of it, it is clear that certain other Acts, like, the Payment of Wages Act are going to be violated by subordinate legislation, by the application of rules under the authority of the Government. If a Bill purports to do that, to me it is clear—it may or may not be clear to you; you have to apply your mind to it—that it is exactly at this point of time that you are called upon to intervene and save the time of the House from proceeding with a frivolous and gratuitous legislation which is being opposed on other counts also.

[Shri H. N. Mukerjee]

Therefore, from a purely constitutional aspect, I feel, you are called upon to abjudicate upon it here and now.

MR. DEPUTY-SPEAKER: Let us hear the Minister.

SHRI YESHWANTRAO CHAVAN: Sir the major point, really speaking, is whether there is any procedural or rule making position here which is coming in the way of consideration of this Bill at this stage. The essence of the constitutional points which the hon. Members have tried to raise was considered at the introduction stage by you. The major point is, whether there is anything unconstitutional in the law which may be considered by this House or not and on that you have given your ruling....

SHRI MADHU LIMAYE: You do not have an open mind.

SHRI YESHWANTRAO CHAVAN: on what?

SHRI MADHU LIMAYE: On clause 10.

SHRI YESHWANTRAO CHAVAN: I have an open mind. As long as the House is considering it, it has an open mind. You cannot take he position that the House cannot consider it.

SHRI MADHU LIMAYE: Whether Government can by notification or by an exercise of its rule-making power or by an order modify a statute. That is the point.

SHRI YESHWANTRAO CHAVAN: Any rule-making power of Parliament is maintained because whatever rules and schemes that we make under the rules are ultimately laid on the Table of the House and the Parliament can modify those schemes. There is no question about power of Parliament being curtailed.

**14 hrs.**

Another point that Mr Madhu Limaye raised was about modification. Under rule 71 we can introduce the Bill with or without modification So, modifications are permitted.

The main point that he raised was about the Statement of Objects and Reasons. It is mentioned in the Statement of Objects and Reasons, in the first paragraph:

> "....The Ordinance provides for compulsory deposit—
>
> (a) for a period of one year of the whole of the additional wages; and
>
> (b) for a period of two years of one-half of the additional dearness allowance."

This is the essence of the Bill. This is the Ordinance. As far as this particular part of the Ordinance is concerned, it is not changed. What is being changed, by certain modifications in the rules etc., and clarifications, is how it is to be brought about. As far as the Ordinance is concerned as I have pointed out, it is not modified. Certainly we have made some modifications, and these modifications are permitted under the rules.

**श्री मधु लिमये** : आपने एक्सप्लेनेटरी नोट्स क्यों नहीं दिए ?

SHRI YESHWANTRAO CHAVAN: Giving explanatory notes is a matter of convenience. In the case of small Bills explanatory notes are not normally given. In the case of big Bills which are rather complicated, certainly explanatory notes are given. In the case of a small Bill like this with 20 clauses, explanatory notes are not given.

He also raised a question about Clause 17. Really speaking, this does not come at this stage. However, since he has raised the point, I am mentioning it. Clause 17 corresponds to Clause 14 of the original Ordinance. It is the same. I do not know what changes he thinks, we have made in this.

श्री मधु लिमये: आप बैठ जायेंगे तो मैं बता दूंगा ।

SHRI YESHWANTRAO CHAVAN: I do not want to carry on this dialogue. According to me. Sir, this point of order is not valid.

श्री मधु लिमये: आपसे डायलाग करना ही बेकार है । आप अपने मन से कानून कभी नही बनाते है । (व्यवधान)

MR. DEPUTY-SPEAKER: Mr. Madhu Limaye, please sit down. You have raised a point of order and the Minister has replied. The matter can be settled only by a ruling from the Chair. Now I am going to give my ruling on this point of order.

Mr. Madhu Limaye's contention is that this Bill cannot be taken up for consideration and he has given a number of grounds. I tried to note them down. The first ground is that the Bill differs in its provisions of the Ordinance....

SHRI S. M. BANERJEE: Substantially.

MR. DEPUTY-SPEAKER: Whatever it is that is the first ground. The second ground is that the Statement of Objects and Reasons is misleading...

SHRI MADHU LIMAYE: In the light of the Ordinance.

MR. DEPUTY-SPEAKER: The Minister has said that the modifications in the Bill are only of a clarificatory nature whereas, in Mr. Madhu Limaye's opinion, these are substantial. This is the second ground.

The third ground is that there are no explanatory notes to the provisions of this Bill.

The fourth ground is that Clause 17 is misleading. In Mr. Madhu Limaye's opinion, it involves delegation of legislation....

SHRI MADHU LIMAYE: It came within the rule-making clause. In the Bill it was deliberately transferred to mislead the House.

MR. DEPUTY-SPEAKER: In your opinion, this involves delegation of legislation but here it is put outside that purview. But according to the Law Minister, the other day, this is not delegation of legislation; this is conditional legislation; this was what he said. Regarding clause 10 you say this, and this point is reinforced by Mr. Banerjee that it involves executive of delegation of legislation....

SHRI S. M. BANERJEE: It comes under the same thing....

MR. DEPUTY-SPEAKER: To the extent that it renders all the other Acts passed by this House....

SHRI S. M. BANERJEE: I have mentioned certain Acts.

MR. DEPUTY-SPEAKER: Order please. I will name these Acts for you if you like. One is the Payment of Wages Act. Another is Payment of Bonus Act. There are so many other Acts. It is not only here but I have read in the papers also that these are the grounds made somewhere else. Lastly my very respected senior colleague Prof. Mukerjee wants me to apply my mind to this. Whether I should come in the way of this Bill. That is what he asked me to do. I will deal with these points one after another.

Firstly nothing prevents the Government from coming with the Bill modifying the Ordinance. Nothing prevents them. This is Rule No. 71 which is well-known. We discussed this a few days back.

SHRI MADHU LIMAYE: No controversy over that.

MR. DEPUTY-SPEAKER: You give up that point?

**श्री मधु लिमये :** यह ग्राउण्ड मैंने दिया ही नहीं था । मैंने कहा था :

He has no right to mislead the House; he should specify what changes he has made.

MR. DEPUTY-SPEAKER: With regard to the Statement of Objects and Reasons, the question is, whether modifications are clarificatory or they are of a substantial nature. This is a matter of opinion. You think they are substantial; they think they are clarificatory. That is exactly the subject matter for discussion.

SHRI MADHU LIMAYE: You have even powers to revise the statement.

MR. DEPUTY-SPEAKER: I hold this is a matter of opinion The House should consider this matter.

SHRI ATAL BIHARI VAJPAYEE: Have you no opinion in this mater?

MR. DEPUTY-SPEAKER: The role of the Chair is to guide the proceedings of the House. It has to act as a catalyst. I said that My role is to set in motion thoughts and ideas and so on and things like that, but the House will formulate and come to a decision.

**श्री मधु लिमये:** लेकिन यह एक दीवार की तरह खड़े हैं । चिल्लाना भी कैटेलिस्ट एजेन्ट आप बनिये, प्रवाह तो रुक ही जायेगा ।

MR. DEPUTY-SPEAKER: Not every Bill has an Explanatory Note. It is not there with reference to every bill. That is not the ground. With regard to Clauses 17 and 10, these are matters which can be brought when a discussion on these Clauses is taken up. With regard to what Prof. Mukerjee said, I may respectfully submit the duty of the Chair is not to obstruct discussion but to facilitate discussion. And therefore I rule that this Bill should be considered.

SHRI SOMNATH CHATTERJEE: It cannot be disputed that a most unsual type of power is being sought to be taken by Government. This Bill involves a proposal for delegation of legislative power. According to rule, it has to be accompanied by a Memorandum explaining such proposals and drawing attention to the scope and stating also whether they are normal or exceptional in character. An unusual and exceptional provision is being incorporated. It is not of a normal character.

Sir, this is a most glorious understatement and a misleading statement that can ever be made. The delegation of legislative power is of the most abnormal, unusual and exceptional character that has been prescribed. This is not of a normal character. It only gives a misleading idea to the Members of the House. Unless a proper memorandum regarding delegated legislation is submitted, we cannot proceed with the further discussion of this Bill.

SHRI YESHWANTRAO CHAVAN: Sir, again this is trying to express an opinion whether it is abnormal or not. We do not think that it is abnormal. It is very normal rule-making power that has been mentioned in the Memorandum submitted.

Therefore it is normal.

SHRI SOMNATH CHATTERJEE: What is the exceptional delegation? Kindly give your ruling on this.

**श्री मधु लिमये :** उपाध्यक्ष महोदय, नियम 69(2) आप देखें, मैं उसको पढ़ना चाहता हूं :

"Clauses or provisions in Bills involving expenditure from the Consolidated Fund of India shall be printed in thick type or in italics."

यह हिन्दी विधेयक है मेरे पास, वित्त मंत्री जी बतायें कि इसमें कौन सा क्लाज इटैलिक्स में है ?

MR. DEPUTY-SPEAKER: You read the proviso also.

**श्री मधु लिमये :** वह तो आपको करना है, मुझे थोड़े ही करना है । जो मेरे लायक है वही मैं कहूंगा । क्या हिन्दी के लिये यह नियम लागू नही है ? क्या हिन्दी को कनिष्ट दर्जा दिया गया है ?

**श्री अटल बिहारी वाजपेयी :** यह आपत्ति बहुत ही गम्भीर है, भविष्य मे ध्यान रखना होगा ।

**श्री मधु लिमये:** इस सदन में 150/200 सदस्य ऐसे होगें जो अंग्रेजी नही जानते है और हिन्दी के साथ घोर अन्याय हो रहा है । इस पर आपको रूलिंग देनी चाहिये ।

MR. DEPUTY-SPEAKER: Just a minute. Now let us not mix up too many issues. But I think that since Mr. Limaye's point is very minor, I would dispose that of.

**श्री मधु लिमये:** जो ग्राउण्ड मैं नही लेता, उसकी आप चर्चा कर रहे है ।

MR. DEPUTY-SPEAKER: I Just wanted to dispose of this. This is a relatively minor point. It has been printed in thick type.

SHRI S. M. BANERJEE: In that case, my submission will be this. You will declare that all the Hindi Bills.... (*Interruptions*).

MR. DEPUTY-SPEAKER: I think the only substantial point is the one raised by Shri Chatterjee. But that is again for the House to decide whether this delegation of legislation is of a normal or exceptional character. Mr. Chatterjee holds that it is of an exceptional character. The Minister said that it is normal.

SHRI SOMNATH CHATTERJEE: You have to give your ruling on it. This is a matter relating to the procedure of the House.

SHRI C. M. STEPHEN (Muvattupuzha): Sir, there are stages for the Bill. After passing that stage only this Bill came to the House. The Bill has got to be scrutinised at the stage of asking for leave for introducing the Bill. The leave was asked for; the matter was fully discussed. The title of the bill etc., to be introduced was discussed here. Even the constitutional question was also discussed. And then the House took a decision that the Bill be introduced. So the Bill once it has been introduced, then it is governed by rule 74. We cannot go beyond that.

The Bill is introduced. Subsequently, "the Member incharge makes one of the following motions". Then it is taken up. So my submission is that once this Bill is introduced and once the Member has moved the Bill for consideration, all these minor things and fringes cannot be gone into. That is a closed chapter; the House must be permitted to proceed straightway to consider the Bill. All the other things fall completely.

SHRI S. M. BANERJEE: What about my motion?

MR. DEPUTY-SPEAKER: I have seen your motion but let me first refer to what Mr. Stephen has said. I am sorry I cannot uphold the submission of Mr. Stephen. At the stage of motion for leave to introduce the Bill we considered certain objections and, also, we considered the legislative competence of this House and the House decided on that. We will not go into that question. But if at the stage of consideration certain serious lacunae are discovered or brought to the attention of the House as, for example, if the

[Mr. Deputy-Speaker]

delegation of legislation is normal or not, it is a matter of opinion and for the House to decide. The House is competent to pronounce on that. But if in course of that certain things are discovered, then nothing prevents the House from deciding that discussion of the debate or of any particular clause may be adjourned. It does not mean once it is introduced we must go through it. But whether this delegation of legislation is normal or exceptional, again, it is a matter of opinion and for the House to decide. It is not for me. The Speaker can make a preliminary examination of certain things, but once the matter has come before the House then it is for the House to decide.

SHRI H. N. MUKERJEE: Sir, do we have in our possession a statement in regard to these proposals about delegated legislation being of normal character? We do not. I want to draw your attention to Rule 70:

> "A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character."

This statement should come not now when the points of order have been raised but in a memorandum stating in so many words that this is of normal character.

MR. DEPUTY-SPEAKER: What does the rule mean? I will read:

> "A Bill involving proposals for the delegation of legislative power shall further be accompanied by a memorandum explaining such proposals and drawing attention to their scope and stating also whether they are of normal or exceptional character."

This Rule requires this should be done. Once this is done then, I think, the requirement of this rule is met. They have come forward with it and stated it is of normal character. As far as the rule is concerned they have fulfilled the requirement.

SHRI YESHWANTRAO CHAVAN: Sir, the circumstances which necessitated the promulgation of the Ordinance as a part of the various anti-inflationary measures adopted by the Government have already been explained in the Statement I laid on the Table of the House on Monday. I would not also repeat what is already there in the Statement of Objects and Reasons.

Sir, I must however emphasise the fact that this measures does not at all amount to a wage freeze. There is no embargo on wage revisions. There would also be no interference in any manner with the normal process of wage negotiations. The Scheme would only immobilise for a temporary period additional wages and part of additional dearness allowances. While additional wages would be fully immobilised for a period of one year through compulsory deposits, half of the additional dearness allowance would be similarly immobilised for a longer period of two years. There will be no reduction in the emoluments of an employee compared to what he was drawing before the Ordinance, by the operation of the Scheme.

Government fully recognise that the temporary immobilisation, particularly of 50 per cent of additional D.A. might cause hardship. However, we have tried to mitigate this hardship by offering an attractive rate of interest, *viz.* 2½ per cent above the bank deposit rate which is today 10 per cent. Repayments of the deposits would be in five equal annual instalments from the expiry of the period for the respective deposits, but interest due would be paid in full along with each repayment. To the extent that the temporary immobilisation of additional emoluments will help to reduce the pressure of demand, it would confer benefits on all sections of the commu-

nity particularly fixed income earners. I would, however, like to emphasise that the decision to immobilise additional emoluments in no way implies that we regard wage increases as the primary source of inflation. Hence this measure alone would not be sufficient to contain the inflationary forces and stabilise the economy. What is contemplated is an attempt through a series of measures to break the vicious circle of money incomes endlessly chasing prices and this is one such measure.

I have taken the opportunity to make certain modifications in the Bill which are mainly of a clarificatory or procedural nature. I would like to draw particular attention to the following.

The definitions of the terms 'additional dearness allowance' and 'additional wages' have been made exhaustive to cover various situations. Clause 2(b) defines additional dearness allowance as the increase in dearness allowance which may be sanctioned after the date of the Ordinance with reference to the rates in force prior to such sanction. Explanation I inserted under this sub-clause is to clarify that where D.A. payments are not sanctioned as such but are linked to a cost of living index or any other factor any automatic payment, after the date of the Ordinance, consequent on any rise in such cost of living index or other factor will be deemed to be additional dearness allowance. Explanation II clarifies the position in regard to employees who enter service after the date of the Ordinance. In the case of a new entrant additional DA will be computed with reference to the rates which were applicable to his post on the date of the Ordinance.

Clause 2(c) defines 'additional' wages' and mentions exemptions to wage increases. It has been made clear that computation of additional wage would be with reference to the rates in force before the Ordinance and the rates thereafter. When wages are paid on piece rate basis if the piece rate remains the same, no amount would be impounded irrespective of the quantum of earnings. In some establishments, in additional to a fixed time wage incentive wages are paid for production above a base level. Increased earnings under such incentive schemes also would not be affected so long as the rate of incentive range remains the same. This way I have taken special care to ensure that incentives for additional production are well maintained.

I would also particularly draw the attention of hon. Members to item (v) of this sub-clause. In the ordinance, exemption was given to wage increase in pursuance of the recommendations of the Third Pay Commission. In the Bill, wage revisions of State Government employees in pursuance of recommendations of Pay Commissions appointed by the State Governments which reported before the date of the Ordinance have also been placed on the same footing. In addition I have proposed in the Bill exemption for wage revisions in pursuance of the recommendations of the Committee

[Shri Yeshwantrao Chavan]

constituted before the date of the Ordinance, by Parliament, Supreme Court or any High Court because of the nexus between the scales of remuneration for these categories of employees and those of the Central or the State Government concerned, as the case may be

The scope of the term 'additional wage' has been clarified by explanations thereunder Where wage revision made after the 6th July, 19774, takes retrospective effect, arrears up to that date will not form part of the additional wages However differences between the pre-revised wages on the 8th July, 1974 and the revised wages payable to an employee after that date will constitute additional wages

Explanation II under this sub-clause seeks to clarify the position in regard to payments of bonus including incentive and production bonus To encourage efforts towards larger production it has been proposed that in computing additional wage, higher bonus payments would be attracted only where the rate of bonus is raised after 6th July, 1974 Thus higher bonus payments becoming due to an employee on account of larger production in a Unit, but the rate remaining unchanged would be exempt

Clause 3 covers all employees in the organised sector. Employees of establishments under public charitable and religious trusts have also now been included Provisions have, however, been made in clause 17 to give exemptions to any establishment or category of employees working in any establishment where the public interest or the peculiar circumstances of the case so require and also to exempt from depositing additional wages totally or partially to avoid hardship

Clause 6 relates to procedural arrangements for deduction of compulsory deposits, their accounting and remittance to the nominated authorities. Briefly every employer will be responsible to make deductions on account of additional wages and one half of the additional dearness allowance while making salary payments to the employees maintain employee-wise accounts of the compulsory deposits and remit the amounts compulsorily deducted to the nominated authorities for eventual deposit with the Reserve Bank of India

In making compulsory deductions it will be ensured that an employee does not suffer any diminution in his wages as a result of the operation of the scheme The explanation below this clause accordingly provides for set-offs for compulsory contributions to any provident or other fund out of additional wages or additional dearness allowance

Clauses 12, 13, 16 and 22 are new and clauses 14 and 20 have been amplified I would not burden the House with the details about these clauses which are designed to ensure smooth implementation of the scheme in the non-Government sector I may add that the provisions included therein are generally on the lines of the provisions contained in the Employees'

Provident Funds and Family Pension Fund Act, 1952.

These and other minor changes made in the Bill are either by way of clarification to make the intentions clearer or procedural refinements to ensure its smooth implementation.

Sir, I move.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto and for matters connected therewith or incidental thereto, be taken into consideration".

Shri Banerjee has given a motion well in time, at 10 a.m. this morning to the Speaker seeking to move that the debate on the Additional Emoluments (Compulsory Deposit) Bill, 1974 be adjourned.

In view of the very strong feelings that Members have on this Bill, I see no objection to admitting this motion. The hon. Member may move it and I shall put it to the House.

SHRI S. M. BANERJEE: I have already given the reasons for this, and so I need not mention them again. I move under rule 109 that the debate on this black bill be adjourned. I beg to move:

"That the debate on the Additional Emoluments (Compulsory Deposit) Bill 1974, be adjourned."

Mr. DEPUTY-SPEAKER: The question is:

"That the debate on the Additional Emoluments (Compulsory Deposit) Bill, 1974, be adjourned.".

Let the Lobbies be cleared.

*The Lok Sabha divided:*

**Division No. 12]** **[14.36 hrs.**

AYES

Bade Shri K. V.
Banera, Shri Hamendra Singh
Banerjee, Shri S. M.
Bhattacharyya, Shri S. P.
Brahman, Shri Rattanlal
Chandra Shekhar Singh, Shri
Chandrappan, Shri C. K.
Chatterjee, Shri Somnath
Chaudhary, Shri Ishwar
Chowhan, Shri Bharat Singh
Das, Shri R. P.
Goswami, Shrimati Bibba Ghosh
Gowder, Shri J. Matha
Haldar, Shri Madhuryya
Halder, Shri Krishna Chandra
Huda, Shri Noorul
Jordar, Shri Dinesh
Kachwai, Shri Hukam Chand
Kalingarayar, Shri Mohanraj
Kathamuthu, Shri M.
Krishnan, Shrimati Parvathi
Lalji Bhai, Shri
Mavalankar, Shri P. G.
Mehta, P. M.
Modak, Shri Bijoy
Mohammad Ismail, Shri
Mukerjee, Shri H. N.
Mukherjee, Shri Samar
Mukherjee, Shri Saroj

Muruganantham, Shri S. A.
Patel, Kumari Manlben
Pradhan, Shri Dhan Shah
Ram Kanwar, Shri
Saha, Shri Gadadhar
Sambhali, Shri Ishaque
Sen, Dr. Ranen
Shakya, Shri Maha Deepak Singh
Verma, Shri Phool Chand.

NOES

Ahirwar, Shri Nathu Ram
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Babunath Singh, Shri
Banamali Babu, Shri
Barman, Shri R. N.
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhargava, Shri Basheshwar Nath
Bhattacharyya, Shri Chapalendu
Chandrika Prasad, Shri
Chavan, Shri Yeshwantrao
Chhutten Lal, Shri
Daga, Shri M. C.
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Desai, Shri D. D.
Dhamankar, Shri
Doda, Shri Hiralal
Dube, Shri J. P.
Dumada, Shri L. K.
Engti, Shri Biren
Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gautam, Shri C. D.
Gogoi, Shri Tarun
Gomango, Shri Giridhar
Gopal, Shri K.
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Hari Kishore Singh, Shri
Hashim, Shri M. M.
Ishaque, Shri A. K. M.
Jadeja, Shri D. P.
Jamilurrahman, Shri Md.
Jeyalakshmi, Shrimati V.
Jha, Shri Chiranjib
Joshi, Shri Popatlal M.
Kailas, Dr.
Kakodkar, Shri Purushottam
Kale, Shri
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Kasture, Shri A. S.
Kavde, Shri B. R.
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kotoki, Shri Liladhar
Kotrashetti, Shri A. K.
Kulkarni, Shri Raja
Lakshminarayanan, Shri M. R.
Lutfal Haque, Shri
Mahajan, Shri Y. S.
Maharaj Singh, Shri
Majhi, Shri Gajadhar
Majhi, Shri Kumar
Mallikarjun, Shri
Mandal, Shri Jagdish Narain
Manhar, Shri Bhagatram
Maurya, Shri B. P.
Mirdha, Shri Nathu Ram
Mishra, Shri Jagannath
Mohammad Tahir, Shri
Mohammad Yusuf, Shri
Mohan Swarup, Shri
Murmu, Shri Yogesh Chandra
Naik, Shri B. V.
Painuli, Shri Paripoornanand
Palodkar, Shri Manikrao

Pandey, Shri Damodar
Pandey, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandit, Shri S. T.
Partap Singh, Shri
Patel, Shri Arvind M.
Patel, Shri Natwarlal
Patil, Shri C. A.
Patil, Shri Krishnarao
Patil, Shri T. A.
Peje, Shri S. L.
Purty, Shri M S.
Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Ram Singh Bhai, Shri
Ram Surat Prasad, Shri
Raut, Shri Bhola
Ray, Shrimati Maya
Reddi, Shri P. Antony
Reddy, Shri K. Ramakrishna
Roy, Shri Bishwanath
Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sanghi, Shri N. K.
Sankata Prasad, Shri
Sarkar, Shri Sakti Kumar
Sathe, Shri Vasant
Satpathy, Shri Devendra
Savant, Shri Shankerrao
Shankar Dev, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Shivnath Singh, Shri
Shukla, Shri B. R.
Sinha, Shri R. K.
Sohan Lal, Shri T.
Stephen, Shri C. M.
Suryanarayana, Shri K.
Uikey, Shri M. G.
Verma, Shri Sukhdeo Prasad
Virbhadra Singh, Shri
Yadav, Shri N. P.

MR. DEPUTY-SPEAKER: The result of the division is: *Ayes* 38; *Noes* 117,

*The Motion was negatived.*

MR. DEPUTY-SPEAKER: We proceed with the consideration of the Bill.

SHRI SOMNATH CHATTERJEE (Burdwan): We are sure that this is a most pernicious measure brought by the Government. We charge that this Bill is nothing but a declaration of war against the struggling working class of this country. Sir, this will not achieve its so called objectives of controlling inflation, but Sir, it will surely achieve and is bound to achieve this; it will force starvation of 18 million working people of this country and their families which will comprise about nine crores of people. Sir, according to us, this is a thoroughly unconstitutional Bill. A very laborious attempt was made by the hon. Law Minister on the last occasion to somehow make out a case of the legislative competence of this House to discuss this Bill. But, certainly, we have not been convinced by him. Now that the hon. Supreme Court has found that there is a strong *prima facie* case, which has persuaded the Supreme Court to admit a writ petition and issue a *rule nisi* against the Government, it was all the more necessary that this Government, if they had any respect for the Supreme Court, although they say so many things, they should have postponed the discussion on this Bill until the Supreme Court, the highest judicial body in this country decided about its validity. Sir, the other important aspect is, whatever the hon. Finance Minister may say, this is nothing but a measure to impose a wage freeze. Sir, the fact that this Government could not wait for Parliament to be summoned, which was going to sit within 16 days, and the fact of promulgation of this Ordinance shows its utter disrespect for the legislative processes and for Parliament's supremacy in this country. After they have obtained this massive majority as they remind us from time to time, they have thrown all the

[Shri Somnath Chatterjee]

canons of decency and decorum so far as Parliamentary institutions are concerned and they do not even bother to issue Ordinances with regard to financial matters. Just before a fortnight before the House was going to sit, such an important measure, which is going to affect a very large section of the common people of this country was promulgated as an Ordinance, which, Sir, we very much condemn. Sir, we are discussing today... (*Interruptions*) Sir, unless the House is brought to order...

MR. DEPUTY-SPEAKER: You can go to the Lobby or the Central Hall.

SHRI SOMNATH CHATTERJEE: Sir, we are discussing this Bill under the shadow of the brutal murder of three workers of a wagon factory at Bharatpur in Rajasthan by the trigger happy police acting at the behest of an un-sympathetic administration. Instead of controlling black money and inflation, the result of this anti-people measure has been that the blood of the working people has been spilt in this country. Sir, can anybody deny that with galloping inflation, the working people of this country have been groaning under an extremely difficult financial condition which has been primarily brought about by a bankrupt economic policy and the rule of black money to which this Government has surrendered for its own partisan purpose? This black money economy has been fostered by this ruling party and the people of this country cannot or will not ever remain a subject of their mercy. Sir, this galloping inflation has immobilised the earnings of the common people of this country. The value of rupee has been reduced by reason of rising prices. How long will the working class, the common people and the middle class people, go on tolerating this type of legislation? Their very subsistence is now being threatened.

Sir, I am very happy to note that the working class in this country is getting united, more and more united on this anti-people measure, Sir, I can only state that if such policies are adopted in future, the kind of repression that was let loose during the railway strike, people's voice cannot be muzzled for ever by such repressions. So far as the Statement of Objects and Reasons of this Bill is concerned, kindly see what a hoax is being perpetrated on the people. It says:

> "Periodical revision of wages and adjustment in the rates of dearness allowance which have been adopted as remedies for moderating the impact of rising prices have been proving ineffective."

As if DA is given as a matter of bounty The very basis of DA is that the real income is reduced because of the inflation and rising prices. The method of providing DA only partly compensates the workers for the increase in the cost of living that has already taken place; it is not for future increase in prices. Therefore, DA is the minimum provision that has to be made. DA never keeps pace with the rising prices. But in the name of controlling inflation this Government has thought it fit to impose a cut on DA, which is the minimum required to offset somewhat the rising prices in this country.

A sermon has been given in the statement of objects and reasons, by this Government which has hardly any *locus standi*. It must practise first what it tries to preach. It says:

> "In the circumstances, urgent steps aimed at breaking this vicious circle of money incomes chasing prices became inescapable. These measures undoubtedly involve some sacrifices by different sections of the community."

A wonderful selection has been made for this purpose. The ordinary people of this country numbering 18 million, out of whom at least 60 per cent have a monthly income of less than Rs. 500, are being asked to make sacri-

fice. The sacrifice is being asked to be made by that section of the people who are already in utter misery and do not get even two square meals a day. This Government is unable to give them food, the essential commodities and the medicines for the sick They are unable to arrange for the education of the children. This Government which is sitting in an ivory tower with the monument of luxury in Rashtrapati Bhavan—ministerial luxury has become the last word in luxurious living in this country—it is they who are giving sermons to the common people, whose actual wages may be 500 but whose real wage is less than Rs. 100. You are asking them to bear the greater brunt of the sacrifice, as an apology to show that they are not against the working class only but also against the rich people, they have tried to bring forward that Bill putting restrictions on dividents and Income-tax Payers Bill which we shall discuss later. This Government is not entitled to give this sermon Their intention is to go on putting pressure on the working people so that they remain in their mercy.

Who is responsible for this rising inflation? Are the working class responsible for it? The position today is the result of the bankrupt, pro-capitalist and anti-people economic policies of the present regime. Because of such policies, inflation has become galloping and the poor and relatively poor people who have been already suffering hardest are going to get the worst of the government measures.

In the name controlling inflation. the real income of the workers is being reduced further. What is the investment climate in this country? What is the position with regard to future generation of employment opportunities? So far as the cut in the Plan outlay is concerned, it is over Rs. 400 crores. There are no new employment-oriented industries which are being set up, there is no creation of new income and the jobs are becoming more and more scare. With lesser investment, lesser number of jobs would be available. In this context, what should have been done and what has been done? Government should have generated more employment opportunities by creating a climate for investment. Instead of that, they have chosen as their target of attack the income of the existing employees. This is really a wonderful economy.

You cannot generate more employment, you cannot give new avenues of employment for people to earn their livelihood in a decent manner, unemployment is increasing by leaps and bounds and you have taken this opportunity to get hold of persons who have niggardly income.

The economic policy of this government is nothing but surrender to vested interests. It takes the Government years to formulate the so-called Five Year Plans which they cannot implement The targets are never fulfilled. I doubt very much whether the economic policy of this Government has got any mooring; assuming there are some moorings, whatever moorings have been there have been completely lost and now it is only a drift.

In the name of policy decisions, *ad hoc* measures are being taken like this, which will not solve the problem of inflation by any means whatsoever. Has the price of any commodity in this country gone down since the 6th of July? Have the anti-inflationary measures been found to be visible in any sphere of economic activity in the country since this measure been in force? You could not wait for the Parliament to meet and you thought it necessary to make a law by promulgating an Ordinance. Now that more than a month and a half have passed, what is the effect of this measure on prices?

The amount which is expected to be immobilised by this measure is Rs. 450 crores per year or Rs. 900 crores in two years. Out of this 60 per cent will come from the wages and allowances of people earning up to Rs. 500. About 18 million salaried people are

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affected by this measure, a majority of whom cannot afford it.

Have the Government any economic thinking? Only in February this year they reduced the incidence of income-tax because, they say, this is one of the recommendations of the Wanchoo Commission. But they did not implement the major recommendations of the Wanchoo Commission because they dare not touch the black money. Did the Government not realise in February-March this year that the economic condition in this country will be such that they cannot afford to lose any income? Is this mobilisation of resources? For pampering the rich income bracket, in February-March the highest income-tax rate was brought down from 90 to 70 per cent. Within six months you launch your attack, not on the high-income bracket but on those who are earning Rs. 500 or less. Could you not anticipate in February-March that in four or five months the economic condition of this country will be such that you have either to mobilise resources or generate your own resources? Is there any economic thinking in the Government? They reduce the income-tax rates which will benefit the highest income brackets and then they come out within five months with this obnixious measure.

It is well-known that about 73 to 80 per cent of the middle-class families budget represents expenses on food. Without reducing the cost of food, how can you possibly give any relief to these people or to check inflation? Unless you want that more and more people should starve, unless you want that those people who are getting two meals a day will now get one meal a day and those who are getting one meal a day will be on streets, how are you going to control either inflation or how are you going to help in any manner these people in the country who are already facing great difficulties. With 67 per cent of the population below the poverty line, the Government living in luxury is now even impounding bonus and gratuity of the common working class in the country. It is a completely shameless proposal. Bonus is no longer anybody's grace. It is a deferred wage. They earn it by their labour. So far as additional wages are concerned, because of rise in prices, by reason of their struggle, they earn it. But this Government impounds it.

What will happen to the money? This money will lie in the coffers of the Reserve Bank. He says, "After five years, I will give you with a very tempting rate of interest of 11½ per cent. What more do you want?." With the rise in prices and the fall in money value of the rupee, it will become less than 1 per cent.

The greatest sacrifices are being asked from the common people who can bear the least. Out of Rs. 900 crores that they expect to immobilise. Rs 300 crores will have to be paid as interest They will have processing costs. How much processing cost they will incur? It may be anything between Rs. 50 crores to Rs. 100 crores in five years. They have given a bounty of Rs. 100 crores to the rich people in the last Budget by reducing the rate of income-tax. Therefore, Rs. 300 crores to Rs. 500 crores will go out of the Government sources. This is a sort of apology, as an anti-inflationary measures. If that all it will create deflation. It will not stop inflation at all. It will only mean that the economy of this country will be completely crushed.

So far as public distribution is concerned, this Government has surrendered itself to big hoarders, smugglers and blackmarketeers. In the matter of wheat take-over policy, they have surrendered. What about the Government's performance about the public distribution system? I will give only two figures. In May, 1974, wheat distributed through the public distribution system was 4.18 lakh tonnes. As against that, the corresponding quantity in May, 1973, was 6.8 lakh tonnes. During five months period from Janu-

ary to May, 1974 the total quantity of wheat distributed through the public distribution system was 22.73 lakh tonnes while in the corresponding period, it was 27.40 lakh tonnes. Now, with the dismal performance in the public distribution system, with lesser and lesser procurement, with their surrender to the black-markteers and hoarders, with their switch over from the wheat take-over policy, how do they expect to control or contain the prices of foodgrains, at least one item of foodgrains? These people are giving lectures to the people to tighten their belts and make sacrifices. They do not even make an attempt or an apology of an attempt to make the necessities of life available to the common people in the country. After 27 years, we heard only yesterday, unless the Parliament brings certain laws under the Ninth Schedule, they are unable to do anything. Why, during the last 27 years have land reforms in this country not been brought about? How can you produce more food in this country unless you get the people invloved in the process of agriculture: You will have landlords, you will have kulaks, and you want to generate more resources in this country. How is it possible?

I was astonished to get one figure. I will just tell you. By raising only five paise per kilogram of foodgrains, the big farmers and traders in this country have made Rs. 4,000 crores. This could not have been done without the Government's connivance and blessing. What action has been taken? Mr. Ganesh says that he will go and have a *dharna*. Somebody says that he would go to the railway station to find out what is happening This is an abject admission of their inability and complete bankruptcy not only to grapple with the problem but even to think about what the problems are. In what way will this inflation be checked. No action is taken against those people who are responsible for the rise in prices, but you are jumping on those common people who are forced to pay high prices because you are in league with those hoarders and black-marketeers. If this is the policy of the Government, we cannot expect any proposal from them which will be for the benefit of the common people of this country.

So far, no attempt has been made to control the money supply. The other points, Mr. Vajpayee has referred to. My time is very limited. I would submit that this Government would be well advised to withdraw this legislation or, at least. minimise the rigours of it.

Kindly see, Sir,—this is the wonderful economic policy of this country—by supplementary budgets they are seeking to raise more taxes than the original budgets. This is the wonderful taxation policy, this is the wonderful economic policy, of this country. I believe, in world history this has never happened in the past the original taxation proposals have been, within five months, exceeded by supplementary taxation proposals. This is the only regime where this has happened. It is this Government which has brought this ciuntry's economy to rack and ruin. The common people are at the mercy of hoarders and black-marketeers, the Government's only friends in this country.

Sir, I oppose this Bill.

MR DEPUTY-SPEAKER: Before I call the next speaker, I would like to make one or two observations. This is a very far-reaching piece of legislation in which the members feel very deeply involved. A few hundred millions of people are involved in this. Therefore, in all fairness, the members should have full opportunity to make their submissions and the Government also should be able to put its case across. However, we are limited by time. We have allotted four hours to this debate and there is a time limit also within which this Bill should be pased Therefore, I would only put this to the members to keep this in mind and try to be brief and precise.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHURAMAIAH): I would like to mention that it is the unanimous recommendation of the Business Advisory Committee that we should try to pass this Bill and also the next one today itself sitting late if necessary. I am only conveying the wishes of the Business Advisory Committee.

PROF. MADHU DANDAVATE (Rajapur): You want to put the time allotted to us also in compulsory deposit.

MR. DEPUTY-SPEAKER: You will get interest on that.

Mr. Stephen.

SHRI C. M. STEPHEN (Muvattupuzha) The Bill that we are considering now is, admittedly, an extraordinary piece of legislation; this does not belong to the normal category. This is a type of Bill which would be painful for anybody to move, painful to support and even for this House painful to pass. But nevertheless there are occasions in the life of a nation and of public men when in the discharge of public duties, if you are convinced that it is a duty, you will have to do certain painful things. It is in this spirit that I approach this Bill and I offer generally to support the Bill.

**15 hrs.**

Before going to the arguments there are one or two things to be emphasised. One is what it is not. It is not a wage freeze Bill. Nothing stands in the way of negotiations being conduced, wages being reduced, bonus being negotiated, etc. I am prompted to make one observation after hearing Mr. Somnath Chatterjee. This Bill is not an effort for resource mobilisation at all. Whatever money is deposited will not be available to the Central or State Governments. This is not an effort to mobilise resources. This is an effort to tackle the inflation which this country faces. There is demand-pushed inflation taking on the character of wage-price spiral setting in. The inflation which is now very fast moving up is taking on the character of hyper-inflation. Through this Bill the Government is appealing to wage earners that for one year period they may not rush to consumption, to the full extent of the money which they may be having cruel though it may be. This is the strategy behind the Bill.

As far as I am concerned, there is one major problem for the workers of this country. The major problem is this. It is the rise in prices. They are the worst-affected people. Looking to the index figures, taking 1960 as the base year, we find this. The figures were moving up at snail's pace upto 1972-73. It was not a gallop at all. In 1969-70 this is 177; 1970-71, 186, 1971-72, 192; 1972-73, 207 and thereafter what we find is, it is not moving up, it is a gallop. From March to May, from 207 that has moved up to 228. In December it was 260, in January 264, in February 267, in March 278 in August 283, in May, 294. In one year, that is from middle of 1973 to middle of 1974 it is a jump from 207 to 294. This is the position; 50 per cent of jump is there. The result is this. The mechanism evolved earlier, namely, neutralisig it by DA by giving more money to workers, so that their real wages rise, has ceased to operate. The more money you get, the more the real wages are sagging.

It is this dilemma which the workers of this country are now facing. This is a dilemma not for the higher paid people and not even for the upper class people. This is a dilemma which the workers are now facing. Whoever may be responsible for this dilemma the dilemma is there.

As far as the workers are concerned, therefore there is a stage of hyper

inflation, galloping inflation, which has already started. It is horrifying. We will not be able to compensate the whole of it. Where is the mechanism? In the extraordinary situation that has proved to be inefficient or inappropriate or inadequate. To me it appears that this D.A. mechanism was invented but the purpose for which it was invented had failed. So, there must be a fresh thinking made on it. We should have a fresh look at it. For dearth of time, I do not want to go into details of it. As per sources of inflation, there are some types of inflations. One is because of excess demand. It may be that because of fall in production more and more of money is coming into the market. Population is growing. All these factors are creating excess demands. If the production moves up, there will be no extra demand When there is cost push inflation, that is to say, if the raw material price goes up, as a result of this the price of a product too will go up. That is what we call 'cost push inflation. The contagion of inflation has come from the neighbouring countries. Finally the wage spiralling inflation comes in. As far as inflation in this country is concerned we find that all these aspects are there One after the other is coming up. When there is excess demand, inflation comes in. When that is going up, to meet it more of money will have to be put into the pocket. As a result of that the wage for a price spiralling sets in. Now that is practically going out of the hands So, the question is; what is the solution to this? If we are to tackle the inflationary aspects there are two methods of dealing with them. On the one hand, you have to raise the production; and on the other hand, you curtail the money supply. If these two things can be done then, certainly inflation can be tackled. But, is it an easy solution? That is the question. May be the Opposition parties may say that this is due to the wrong policy followed by Government. The problem is before us. How to tackle that is the question. Is there any proposition being brought forward? Here is the picture of the money supply and the production figures. We find that they are very appalling. From the Reserve Bank of India paper it will be seen that as far as the consumer goods are concerned, taking the 1960 as the base year in September, 1972 it goes upto 169 whereas the cost of living has jumped up. And from there not today, to September, 1973 it was 157. Once in 1969 it has fallen down. It is not sustaining the level. It is moving down. With respect to the consumer goods industrial index general index the picture is the same. It was 200 But, in September 1973, it was 199. Gradually the production has come down. Whoever may be responsible for it that is the position which is there. The question is Can we increase the production overnight? On the other hand the money supply figures are also very revealing. As has been pointed out already by my friend it started with Rs. 5,000 crores in 1961 it had gone up to Rs. 17,815 crores—I mean money resources and not the money circulation—and the money circulation figure for the year is Rs. 11 587 crores. It was Rs. 15,453 crores in June 1973. Today it is Rs. 17,850 crores. Therefore the money supply figure has increased but the production has decreased. Inevitably the result is that the price will definitely move up So long, upto 1972-73 we found a sort of relationship between the two. So much so, there was no let-up in consumer price index. The moment that relationship disappears and once we take an out of balance position, the cost of living index also started picking up. That is the dilemma that I have in view. Here is the position in which the workers' interests can be safeguarded only by pegging the prices. The prices can be pegged only by the increase in the production on the one hand and of curtailing the money supply. I think increase in the production is not immediately possible. It will take a little time for the production to take up the momentum. Therefore, the products available to the country being the same would it

[Shri C. M. Stephen]

be in the interests of the workers to get the money supply being added on that? Already there is money supply to the extent of Rs. 17,000 crores and the economists also tell us that the velocity of the money is going up and added to that the dearness allowance increase during the current year will be to the tune of Rs 900 crores. If that is the position added to this with production remaining the same and not making remarkable breakthrough would it be in the interests of the price position to add on to this additional amount also into circulation and build up the pressure against the consumer goods.

Sir, much has been said about black-money. Black-money is a menace and must be fought but I would submit with respect to the essential consumer goods which the workers want, I do not know to what extent black-money will add to rise in prices. Black-money is used for hoarding. That is a different problem and has to be tackled in a different way. I am at a particular question. Supposing I get Rs. 6 crores in my hand tomorrow and I as a person—if I do not go in for hoarding—this Rs. 6 crores will not build up pressure on the consumer goods whereas if Rs. 6 crores is distributed among one crore of people that money will go immediately in the market to build up pressure on the essential consumer goods Therefore, when we try to immobilise the money in the market it will have to be seen which type of money has to be immobilised. Certainly, the workers will have to participate in the sacrifice that the nation is being called upon to make. What else is the alternative? I for one, do not have any other alternative. If more money is coming in then the prices will certainly move up. On the one side production has to be raised and on the other side during the interregnum some interim measures have to be evolved. It is in that spirit that this Bill has been evolved.

I would like to quote from an article written by Valey Giscard d'Estaing, a very well-known economist and President of France. He has written an article on 'Four types of inflation':

"The fourth type of inflation is self-induced inflation. That a price rise should trigger a rise in all types of income in itself is natural and even desirable because that shows that economic agents, beyond the world of monetary illusion, are reasoning in terms of purchasing power."

The real difficulties begin when the deep-seated inflationary pressures—for example, those leading to any one of the three previously described types of inflation—have toned down and yet inflation continues for the simple reason that rising incomes cause rising prices Then a new inflationary mechanism goes into action independently, and it is all the more serious in that there are no built-in brakes to it."

"It must be acknowledged that to fight this inflation, which is the gravest type in modern countries, economic thinking is no more advanced than medical thinking about ways of stopping the spread of cancer cells. As in the case of cancer development often moves in an accelerated fashion because the more agents become aware of inflation, the more they try to anticipate it by even higher incomes"

"In order to combat this type of inflation, support has often been expressed for an essentially voluntary incomes policy, which in fact is nothing more than solidarity in moderating the rise of incomes"

"However efforts at arriving at a concerted policy have shown how hard it is to obtain willing consent on this type of voluntary regulation. to the point that some governments have succumbed to the temptation of moving to the stage of regulatory measures;..."

"It is striking to see that this essential field of economic activity is the only one not to have some self-regulating mechanism."

What is said here that there is structural difficulty to be overcome. What I am pointing out is that this is just what is done here. It says further:

"Therefore, there is a structural difficulty to be overcome here. It resembles somewhat the structural difficulty of the monetary explosion brought about by the process of monetary creation by the banks in France. Eventually, the government had to impose its control by creation that factor draws off part of tor. With each cycle of monetary creation that fator draws off part of the monetary substance until the mechanism can no longer operate. A form of incomes policy might, for example, consist not of just an instantaneous and ephemeral policy but a structural and permanent one, providing for a sort of reserve factor that would cut back by means of temporary taxes or savings at each cycle of the wage-price rise, part of the excess liquidities created thereby, thus braking and then stopping the inflationary process almost automatically.".

This cut-back is what is attempted by this law. It is certainly a painful thing, but this cut-back of the additional wages going on as a result of the reserve factor in order to put a brake on the inflationary spiral is what is attempted here.

Having said this I would say that this Bill would have justification or it will have validity only if the income policy has got an equal character everywhere. It is not the worker only who is concerned. Two factors are necessary. One is that there is a particular section among the workers who are low-paid, who have no wages to be cut back at all, to whom unless the whole wage is given, starvation and death would be the only alternative. I have tabled an amendment requesting that employees who are drawing pay up to Rs. 300 must be exempted from the operation of this measure. I have also requested that at least those workers who have got minimum wages under the statute must not be brought within the purview of this measure. Those who are getting the statutory minimum wage should not be brought within the purview of this measure. Under the law of this country, accepted by the Supreme Court and every other court and tribunal nobody shall be paid anything less than the statutory minimum because that is the bare subsistence level. If he gets some more dearness allowance if that is also to be taken away, you will be condemning him thereby to complete starvation and death, that will amount to a sort of saddism and absolute savagery. Therefore, I have asked for exemption for those categories of workers, and that amendment has got to be accepted. Otherwise what will happen is this After all, the worker must have his morsel of rice, because tomorrow he has to go and work For that morsel of rice, he will take a loan from an usurer or he will have an industrial strike in the establishment in order to get money as advance so that he may take back money from what is being deposited Then it will not be industrial peace that you will be having. Therefore, I subit that this policy will have validity and rationale only if the lowest cadre is left out of the Government's calculation.

Secondly, I would submit that if production bonus is varied, Government should not touch it. But this law says that production bonus and incentive bonus also would come within the purview of this. If higher bonus is given, Government want that also. If raising of production is part of the strategy to fight inflation, then penalising production bonus and incentive bonus makes it lose all its rationale I have moved an amendment in this regard also.

Thirdly, Government have adopted the principle in this Bill that if in a particular grade of pay an employee

[Shri C. M. Stephen]

gets an increment, that will not be touched. On the same principle, I would submit that the bonus which an employee is entitled to get under the Bonus Act should not be touched. The legal advice that we have got is that the bonus which an employee gets under the Bonus Act would not come within the net of this legislation. This Government of Kerala took that view in all their companies and disbursed bonus on that basis also. Now, if this Bill is passed, that also would be manipulated, because now it has been provided that the bonus that a person gets under the Bonus Act also will come under the net of this legislation.

I would submit this is absolutely cruel. I understand the strategy of cutting back part of the additional emoluments is a painful necessity under the present circumstances. But for heaven's sake, do not take it to a draconian position, a senseless position which would assume the character, if I may repeat the word, of merciless, sadism rather than of tackling the problem. Assume not an attitude of everything or nothing. That is not the attitude to be taken up.

MR. DEPUTY-SPEAKER: Can I impound your additional time now?

SHRI C. M. STEPHEN: Before that I will sit down.

Therefore, my approach to the Bill as I submitted is this: broadly I support the strategy behind the Bill, but I have tabled certain amendments to safeguard the interests of the lower paid workers. What was statutorily guaranteed to them under the Bonus Act, what they got as a return for improvement in production—if these are built into the Bill I shall be happy to support the Bill. Otherwise, it will be very difficult to say 'yes' to the Bill as it is framed.

DR. RANEN SEN (Barasat): The previous speakers, Shri Vajpayee and Shri Somnath Chatterjee referred to the promulgation of the Ordinance a fortnight before Parliament was due to meet. What was the occasion? It was to corner Rs. 450 crores from the working population and for this the Ordinance was necessary. The Government could not wait for Parliament to meet, discuss the matter fully and come to a conclusion.

This is an obnoxious Bill and during the last 13 years, as far as I remember, such an obnoxious Bill has not been put before Parliament by Government. At one stroke of pen, all the labour legislation, the Payment of Wages Act, the Minimum Wages Act, the Industrial Disputes Act, the Bonus Act, all these have been nullified. I am not speaking from the lagal or juridical point of view; I am speaking from the point of view of the working class who for the last 100 years have fought glorious battles for better legislation and sacrificed their lives for that, as a rasult of which during the latter part of the British rule and in this Congress rule certain good laws, at least partially good laws, were passed. Now at one stroke of the pen, all these laws are being nullified.

15.23 hrs.

[SHRI ISHAQUE SAMBALI *in the Chair*]

It is said that this is part of a package deal to fight inflation. As Shri Stephen has shown, prices have been rising, galloping. To a question put to Mr. Chavan whether by these measures, including this one, the price rise would be halted, Shri Chavan was helpless: he could not give any guarantee that the prices would be pulled down.

Shri Stephen says it is not a wage freeze. Then what is it? Not only is it a wage freeze, but this is an erosion in the wages of the workers. I will quote certain things at the appropriate time.

Government and its policies are responsible for this galloping inflation, and the working class have to pay for it. They are the victims of the stupidity and criminality of the Government that sits in power in India today. The whole of the additional wages and 50 per cent of the DA are impounded as a rusult of this. Sir, what is happening in the coal industry? A government machinery was set up. When the document was ready, when both the sides, the CMA, BCCL and the trade unions agreed on certain points, the management said that they have got orders from Delhi not to sign the document. That is stalled. Similarly, in the case of the steel industrial negotiations were taking place. Before the negotiation table, the Steel Authority of India limited comes with the Government order and says 'What is the good of discussing?; there cannot be any wage rise! If this is not wage freeze, then what else is wage freeze?' Before the 6th of July this year, an agreement was reached between the workers of Bata, Calcutta, numbering about 12,500 and the Management of Bata. The earlier agreement expired in December 1973. Earlier, they refused to come to any agreement There was a strike. As a result of the strike, in the month of June, they got a rise of Rs. 73/- per month. By one stroke, that is nullified. Prices are rising. If there is no increase in the wages, then, there is erosion in the real wages. As a result of this, even the managements are afraid that there will be labour unrest. The management of Bata wrote to the labour Minister of West Bengal. I quote:

> "Subsequently, on the 6th July 1974, the Central Government promulgated the 'Additional Emoluments (Compulsory Deposit) Ordinances, 1974' by which, it would appear, that the 12,500 workers involved in the settlement, will be deprived of the immediate relief and full benefits, concerning the additional wages and dearness allowance plus a lump sum amount."

But, Government says that this will result in increased production. I can give hundreds of examples like this—these cases have come up during the last three months. Let us take the Electronics Corporation of India Limited. Their memorandum, their statement to the Government of India is—I quote:

> "If the full additional wage and 50 per cent of D.A. accruing under the agreement are impounded then there is an actual reduction in emoluments. Because the agreement only stipulates merger of D.A. in the basic wage. If the workers are deprived of this because it is 'addition' to wage then they suffer a cut in empoluments."

This is not wage freeze, according to Mr. Stephen. Then, Sir, let us take the case of tea garden labour. They were getting a daily wage of Rs. 3.05, in the are as from where Mr Stephen comes and in the north, from where I come. Under a recent agreement, at least as far as West Bengal is concerned, they got an increase of 40 paise. Instead of Rs. 3 05, they will get Rs. 3.45. According to this law, this is immediately impounded. Is it a joke or what? Is it not a war on the working class? They are attacked now. Sir, no amount of demagogy or whatever eloquence Mr. Stephen has is going to convince the working class; the working class is going to fight.

Sir, a section of the employers is already afraid. The other day, the Chairman of FICCI made a statement in Calcutta that the whole industrial relations will come to naught. Sir, I will give another example. The HINDALCO workers entred into an agreement with their management. As

[Dr. Ranen Sen]

a result of this agreement, there has been a little increase in their wages. Immediately, this is impounded. There are other examples. I am not going into many examples because I do not have time. This is at a time when black money is operating as the parallel economy; in fact, it is the dominant economy. Mr. Chavan does not rule—it is the black money that rules. Mr. Wanchoo has said that—in those days when he made the report—black money amounted to Rs. 7,000 crores. Now, it is more than Rs. 10,000 crores. In the Wanchoo Committee itself there was another opinion that it was Rs. 10,000 crores. Now, it may be Rs. 12,000 crores, if not more. The exchequer is losing about Rs. 1400 crores every year becuase of this black money economy. Rs. 450 crores are taken away from the workers whereas Rs. 1400 crores of black money is allowed to remain intact. I am sorry Mr. Stephen said by implication that the workers are responsible to some extent because wage increase leads to price increase.

SHRI C. M. STEPHEN: I never said it.

DR. RANEN SEN: This question was raised in the Indian Labour Conference in 1958 when Mr. Nanda was Labour Minister, Mr. Naval Tata made this statement and Mr. Nanda said, it is affallacious theory. If it was fallacious in 1958, how can it be correct in 1974? What is the percentage of people affected? It is less than 2 crores. Our population is 55 crores. Can giving scomething to 2 crores affect the national economy? It is stated that the workers are getting more. But even the Government of India has agreed that in real wage of the workers is going down. A survey of the industries shows that the wages and salaries of the workers as a percentage of the value added by manufacture has fallen from 55.8 per cent in 1960 to 53.3 per cent in 1969. The Reserve Bank bulletin last year has confirmed it. So, the workers' share of the value added to manufacture is falling and the workers are made the victims of this scheme. This attempt was made in 1965 by Mr. Morarji Desai. Even the INTUC in those days objected to it and ultimately it had to be withdrawn In May 1971 when the Prime Minister mooted this proposal with the trade unions, the AITUC rejected it saying, "We are not going to tolerate any direct or indirect wage freeze" and she had to withdraw it.

It is said that the workers are not producing enough. If we take 1960 as the base year, the productivity of the workers increased 100 per cent during the last 14 years. This is also admitted by the employers' organisations. But there is scarcity of goods because the employers have deliberately curtailed production. Who does not know that Lever Brothers deliberately wanted to cut production in Ghaziabad? It was the workers who resisted it and the Government was forced to apply pressure on the company to raise production. The full capacity is not utilised by the employers in the textile and so many other Industries The textile millowners have refused to produce standard cloth, but no steps have been taken against them, except statements in the press and platitudinous appeals to the employers Are the employees responsible for curtailing production? Are the employees responsible for power shortage all over India? It is due to the short-sighted policy of the Government. 10 or 20 years before, they should have raised the power production. There is scarcity of raw materials. I know for certain, at least in the State of West Bengal, small and medium scale industries are closing down because there is no coal or ferrous or non-ferrous metals available. At the same time, they are available in the black-market. Government say that there is shortage because production is less. But then how could they be avail-

able in the blackmarket at a higher price? Then, things are also being smuggled out? What is the government doing about it?

There are provisions in this Bill as to how this amount will be deducted, how it will be retained and so on. After two years the Government will come out with a statement that several crores of rupees have not been paid by the employers to this fund. We are saying this out of our experience. When Shri Khadilkar was the Labour Minister he said that Rs. 29 crores have not been paid by the employers to the provident fund. In the same way, this money is also going to be embezzled. What is the provision to deal with them? Here it is stated that provided the court may for adequate and special reasons, to be recorded in the judgment, impose a sentence of imprisonment for a term lesser than three months, which will mean till the rising of the court. As the saying goes, once beaten twice shy. What measures are the Government going to take to see that the workers money will not be embezzled by the employers? As Shri Ganesh is present here, I say that the Government will not be able to prevent that, and will not prevent that even if they are able to; Government can do it and they have got the power, but they will never do it. Even if they have not got the power, they can have the power here and now, but they will not do it. That is why this proviso has been brought in surreptitiously. Under this provision the magistrate has the discretion to give a lower punishment in case the employer embezzles the money due to the workers provided he gives the reasons in writing.

This is a blatant attempt to freeze the wages of a large number of workers who are already suffering, the most down-trodden people, the casual labourers who may be earning Rs. 3 a day. If they get 25 paise more, it will be frozen.

Already there are strikes in India. I warn the Government that no amount of repression can stop this strike and no amount of prevarication by people like Shri Stephen will satisfy the workers. I say on behalf of the All India Trade Union Congress and the Communist Party of India that the workers are going to fight against it till the last, fight against it lock, stock and barrel to see that this Bill is not implemented, even though it may be passed here. I oppose this Bill.

SHRI CHAPALENDU BHATTACHARYYIA (Giridih): Mr. Chairman, Sir, this Bill has been brought forward as part of a package to control inflation.

There are various budgetary, monetary and fiscal measures possible to control this little understood phenomenon that is called inflation. The question is: Does inflation have multiple causes or could it be that this little understood phenomenon is being confused with its effects? Volumes have been written about inflation, about growth inflation, about inflation resulting from demands or from swelling of money supply or cost, about self-inflation of wages and prices, about the cost-push inflation or the demand-pull inflation. Whatever the nature of this inflation, what is extremely worrisome in the present case is the rate of this galloping inflation.

I will not go over the ground which my hon. friend has covered. So many factors are responsible for this increasing inflationary rate For instance, if the landed interests do not pay tax or if there is evasion or if there is smuggling or blackmoney or if there are shortfalls in production or if there are unexpected expenditures, all add up to fuel inflation. Coming to the Bill for combating it, as a trade unionist and as one who has been associated with labour movement and given the best years of my life in the cause of

[Shri Chapalendu Bhattacharyia]

labour and, particularly, the most down-trodden sector coal mines labour in my region, I naturally feel shy and I have the same allergy and doubts about this sort of control as the British trade unionists had, when John Mayard Keynes mooted similar proposal in 1940 in his book "How to pay for the War". But as an economist, in the contex of the grim situation, I think, we have to accept it and make the best of it. I do not say, whether the note of inflation will be brought down by this alone Other things being equal, if we make a multi-pronged attack, for instance, with this dividend limitation, with this Additional Emoluments Bill as proposed, with the Compulsory Deposit Scheme Bill, decrease in money supply, credit squeeze, increase in savings and, along with that, increase in production both in the factories and in the farms, may be we shall have turned a corner.

For this, what is needed is this. Primarily, inflation is not an economic but a sociological phenomenon. A new consensus has to be built. Here is not a question of knocking one point off the Opposition or off the Government. A new consensus of all the political elements, of the trade unionist elements, has to be found so that we can successfully combat it because the threat to India's economy was never grimmer. This consensus shall have to be reflected in labour participation, in management, and in the factories, in a new form of performance, production and efficiency bonus which should better be put out of the purview of this Bill.

We have to combat what we may call stagation or stagnation and inflation, going side by side in India's economy today.

Lastly, the portion of the emoluments and allowances which you want to withhold should be fully protected against future price increase. For that, I humbly submit, just 2 1/2 per cent extra interest is not enough. I suggest you kindly give thought to this. So far as this amount which you are withholding from the workers is concerned, they must be fully compensated against future price increase.

AN HON. MEMBER: How?

SHRI CHAPALENDU BHATTACHARYYIA: By increasing the amount. If in the next five years the amount goes up by 50 per cent, rather than 2 1/2 per cent, you should fully compensate them for this increase. I am suggesting this for the consideration of Government. I do think that, if we close our ranks, if we rally the workers, if we do not hold out threats across the benches--after all, these threats will mean further loss of social consensus further industrial unrest, further increase in prices and further suffering of the less protected sections of the people—, if we do not hold out threats and if we constructively try to build up the social consensus, we probably will be able to make it India's economy and India's policy are under attack, from internal as well as external sources. Now is the time to close our ranks at least on this issue.

I would bring to the notice of the Lok Sabha a peculiar aspect of the wage structure. A staid journal like the Economic Journal has brought this out. They say that, whereas on the minimum of the scale, the salary increase has been of the order of 20 per cent over the last 20 years, on the maximum of the scale the increase has been of the order of 44 per cent In the mines, the increase is just 8 to 12 per cent. So, in spite of this Bill, there is a case, a strong case for revision of wages in the coalfields if we are to successfully combat the energy crisis. After all, we have to substitute petroleum by coal. The

position has been made somewhat difficult because the white-collared workers in the LIC, IOC and banks have been given much higher wages than what has been given for the workers in the coalfields. In fact, the workers there receive practically inversely to the proportion of the hazards which these workers have to face, and they face these hazards daily, every hour, every minute of their working in the coalmines. Reference to that imbalance was made by Dr. Ranen Sen. He suggested that this imbalance should be rectified. I will say that this inflation is a phenomenon and we have moved into, as it were, the stage of Alice in Wonderland, where you have to run as fast as you can, just to remain where you are if not falling back. This process has got to be reversed. The wage-price spiral has got to be broken at some point, and an effort has to be made to reverse the process.

With these suggestions, I support the Bill.

*SHRI J. MATHA GOWDER (Nilgiris): On behalf of Dravida Munnetra Kazhagam, I rise to express my views on the Additional Emoluments (Compulsory Deposit), Bill which seeks to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto.

Sir, we have heard many times on the floor of this House the Government saying that the current inflation in the country is part of an international phenomenon and India is no exception to that. I want to point out how fallacious this argument of the Government is by quoting certain statistics.

During the past year the inflationary price spiral in the United Kingdom was 13.5 per cent; in France it was 12.2 per cent; in Japan the price increase was 25 per cent. But in India the price increase on account of inflation during the past six months was 25 per cent. Here it is pertinent to point out the per capita income of these countries. In England the per capita income during this period was 1513 U.S. dollars; in France 2106 U.S. dollars; in Japan 1288 U.S. dollars. But in India it is a paltry sum of 73 U.S. dollars. When the per capita income in the United Kingdom is 1513 U.S. dollars, the price increase on account of inflation is 13.5 per cent. But, in India where the per capita income is just 73 U.S. dollars, the price increase has been 25 per cent in six months; i.e., 50 per cent in one year. Sir, I want to stress the point that in these circumstances any comparison of what is obtaining in India today is rather odious. With the per capita income of 1513 U.S. dollars, a British citizen may be able to bear the inflationary strain. But, in India where the per capita is just 73 U.S. dollars, we have to bear this factor also in our minds that this per capita income has been arrived at after adding up the incomes of Birlas, Tatas, Dalmias and also the wages of poor agriculturists, plantation labour and industrial workers. If you exclude the incomes of Birlas, Tatas and Dalmias, the per capita income of an agricultural labour or a plantation labour or an industrial labour may average only a meagre sum of 2 U.S. dollars. With this pittance of a wage, the labour is expected to fight the fury of inflation. Now, the Government, unmindful of their pitiable plight, have come forward with this legislation providing for a compulsory deposit of any additional emoluments they may get after a great deal of agitation under the Industrial Disputes Act.

The hon. Member who preceded me pointed out that the labour in the country is greatly agitated and upset

*The original speech was delivered in Tamil.

[Shri J. Mehta Gowder]

as this legislation is to make further inroads into their already meagre wage. They are already semi-starved and in all probability this Bill will completely starve them out. I want to warn the Government that the worker in an empty stomach is not likely to be worried about the consequences of his action. If the Government try to lynch the labour force of the country, it is certain that the labour force will surely drive the Government back to the wall.

16. hrs.

In Assam, Karnataka and Tamil Nadu, the plantation labour gets as wage Rs. 3 a day. With this paltry sum he is expected to feed himself and his family in the midst of alarming rise in the price of essential commodities. As a result of some awards, under the Industrial Disputes Act, the plantation workers may get an increase of Re. 1 a day. The Government have now pounced upon this also and want that 50 per cent of the increase should be put in a compulsory deposit for a year or two. With the prevalent conditions in the country, I am sure that within these two years they will die of starvation. In the *Times of India* of 26th August, there is a cartoon on the front page; I would just read the caption underneath this cartoon.

> "If we take the shortages and budget trends into account, it will be just 900 and not 900 million, Sir."

Perhaps this cartoon depicts the true state of affairs in the country. If the ruling party happens to be in power upto the year 2000, instead of the population going up to 900 million as a result of implementation of economic welfare programmes by the Government, it will dwindle to 900 only. The present economic crisis is a sure indication of millions of starvation deaths to come and also the likely annihilation of the entire labour force of the country, if such steps like the Bill under discussion are taken by the Government to control the situation. Sir, if the Government had implemented the economic programmes successfully, if the Government had also formulated correct economic policy, the country would not have been brought to this sorry pass. It is only because of wrong and faulty economic policies of the ruling party, we are facing today the financial crisis of unprecedented magnitude.

SHRI C. M. STEPHEN: Whatever might be the reasons, should there not be a solution?

SHRI J. MATHA GOWDER: This Bill affecting the wages of workers is not the solution. If the Government are true to themselves, they should realise and own their mistakes and then only they will be able to find proper solution But the primary desire of the ruling party is to stick to the Chair at any cost even if the people do not stick to the ruling party. The ruling party is interested only in perpetuating its regime. The fertilisers are imported for the ostensible reason of augmenting agricultural production. But, instead of distributing the fertilisers to the real cultivators, they are given to the people who are the favourites of the ruling party. Naturally the agricultural producion will go down. When the national wealth is not in the hands of real producers of wealth, we cannot expect any improvement in the economy of the country. This Government—I have repeated this several times on the floor of this House—easily succumb to the threats of monopoly houses in the country and do not hesitate to extend concessions after concessions to them. When the monopoly houses, indisputably responsible for the growth of black-market and black money, enjoy all the patronage of this Government, inflation of this nature will be the only consequence. All this is done by the Government with the only ulterior motive of sticking to power.

A Joint Committee of both the Houses has been set up to examine the Plantation Labour Amendment Bill. I am a member of this Joint Committee. This Committee is finding out as to what should be done to amelisrate the conditions of plantation labour On the one hand the Government have referred this Plantation Labour Amendment Bill to the Joint Committee, and on the other, Mr. Chavan and Mr. Ganesh have come forward with this Bill to take away 50 per cent of any additional money that the plantation labour may get. If the Government think that the people of this country are gullible, then they are mistaken. I am sure that the people of the country are bound to teach them a lesson in 1976 Elections.

In the end, I would say that no Government of any country in the world here succeeded by practising deception on the workers. Our Government is not going to be an exception to this general rule. Unless the agricultural labour, plantation labour —both tea and coffee plantation labour—are exempted from the purview of this Bill, I would like to warn this Government that there will be violent agitation in the country in which my hon. Friend Shri Stephens will also join and we are not afraid of going to prison for fighting the cause of the workers.

With these words, I conclude.

SHRI VASANT SATHE (Akola): I am reminded of the phrase which our Prime Minister uttered during the recent AICC discussion a well-known phrase which says 'The path to hell is strewn with noble intentions'.

PROF. MADHU DANDAVATE (Rajapur): The way to help is paved with good intentions.

SHRI VASANT SATHE: Or, it is paved with the best of intentions.

The measure is said to be part of a larger package programme that is about to come. I do not know what other things are in the package. This measure seeks to impound all higher emoluments and wages of the working class; at least, that is the intention behind it; if it was good, I do not know whether this is one of those intentions which would be paving the path, I do not know, where....

SHRI SAMAR MUKHERJEE (Howrah): To hell.

SHRI JAGANNATHA RAO: To heaven.

SHRI VASANT SATHE: As the Finance Minister had agreed even while presenting the budget, this measure by itself will not achieve the desired result. So, I would like to know what more are Government going to do to achieve the result? After all, what is the result to be achieved ultimately? The ulimate aim is to contain inflation and containing inflation means containing the prices. It has no other meaning; whatever economic jargon you may use, shorn of all the economic verbiage, all that it means is to contain the prices. That is what we mean when we say that we want to contain inflation.

One of the fiscal measures adopted for that purpose is to withdraw the money supply, because as against the supply of goods, the money supply is higher, and, therefore, the money supply has to be curtailed so that automatically the prices may come down. That is the object.

SHRI R. S. PANDEY (Rajnandgaon): Production must also be increased.

SHRI VASANT SATHE: Simultaneously, we also say that our measures must give an impetus to production, because ultimately production of larger amount of goods alone will be commensurate with the money supply and thereby bring down prices.

[Shri Vasant Sathe]

Now, will this measure have the effect of withdrawing the money supply of those forces or those sections which create inflationary pressure? Secondly, will it give an impetus to production? These are the two tests that we must apply. Now, let us apply both these tests and see whether this measure will achieve the object.

The first thing that we have to consider is this. Who has enough money to go to the market and say "You are willing to give this item for Rs 5 instead of Rs 2 which in its price, and I am willing to throw that money, and, therefore, give it to me He is the man who creates pressure in the price market by increasing the price by an artificial demand. Such people are those whose income we may take theoretically to be above Rs 500 p.m.

DR. KAILAS (Bombay South): How many such people are there?

SHRI VASANT SATHE: According to the statisticians and economists of the Planning Commission in this country, those whose income is above Rs. 300 constitute I 7 per cent. Their number comes to hardly about a crore Out of this one crore, 70 per cent are those who are self-earning and whose incomes you cannot control.

They are below the limit of income-tax but above Rs. 300 per month, self-earning people. So all that you can now control is who? The 30 per cent fixed income group either in government service, clerks or peons, or the wage-earners in textile mills, coal mines or other sectors. The complete additional income of about 30 lakh people is going to be impounded plus 50 per cent of the DA. How much are you going to impound? How much impact will it have in terms of having an impact on prices in the country, on money supply in the country? Therefore, the real money supply of Rs. 4,000 crores or Rs. 10,000 crores now in terms of black money, which is really creating havoc in terms of cornering goods, will remain undisturbed. See the result of these measures in recent times. They started cornering goods; they have the black money. They cornered inventories, cotton, steel, cement, every item they could think of which is non-perishable.

DR KAILAS: Salt and paper also.

SHRI VASANT SATHE: They have started cornering.

SHRI SAMAR MUKHERJEE: They corner officers and Ministers

SHRI VASANT SATHE: What are we doing about this? They are still investing in buildings at the Backbay in sky scrapers They got cement for that We cannot touch them. Whom are we touching by this? At one stroke, we antagonise 30 lakh people.

You have also included in this those whose income is below Rs 300 a month because you have not excluded the minimum wage earning group. What is the concept of minimum wage? I am sure I can appeal to the heart of the Financee Minister. He may have his difficulties. The concept of minimum wage, by any stretch of imagination, is what is the minimum essential for making two ends meet.

So may I request that at least the statutory minimum and along with it the DA which only maintains the minimum mind you—be protected. If the moment we say minimum, you say 'All right. Basic minimum I will exclude but dearness allowance No that will not do, because that dearness allowance is only to neutralise the minimum Therefore, will you spare at least the statutory minimum fixed and the special allowance or dearness allowance whatever you call it? I really do not understand it. The purpose is not going to be achieved.

Coming to the second aspect, production, with one stroke, you will create such ill-will in the working class that it will immediately affect production—in coal mines, in textiles, in all essential commodities. Instead, why don't you think in terms of giving incentive to production? Let us have round the clock work system.

SHRI R. S. PANDEY: Cut down holidays.

SHRI VASANT SATHE: We can do away with holidays which are common.

AN HON. MEMBER: Give them wages for that.

SHRI VASANT SATHE: We can have a holiday by rotation once a week. You can work round the clock for all the thirty days. You can even reduce the working hours from eight to six and have your shuts. You can do this by rationalisation and you will have greater production; you can tell the working class 'whatever is the additional production; you will have only 25 per cent of the additional production as your share and the rest will go to the country.' If you do this, the working class will readily cooperate with you.

Therefore, what I would submit is, there are measures to impound money circulation. One hundred and thirty economists of the country gave a suggestion—SEMIBOMBLA. The suggestion was to impound Rs. 30/- out of Rs. 100 of all bank deposits. Who have bank deposits in this country? Naturally, it is the bigger people who have deposits. Impound 30 per cent of it. You need not keep it permanently. You can impound and give it back after a certain period in the form of what you are going to do here. Why not accept that suggestion? Instead of impounding poor man's wage, poor man's additional income, why not impound the deposits in the banks? So, Sir, there are measures. It can be thought of. We can sit together; you can sit with the economists of the country and find out ways and means; a package deal can be found to immobilise the income in the hands of those who have plenty. After all, black money or white money is money that is put in use. You should control the use. The best way to control black money is to control the operation of black money. No man can just put his money in his coffer. He will use it; he will bring it out to corner some goods; he will bring it out in the form of investment in bullion; he will bring it out in the form of investment in buildings; in stocks or in some other form that is obvious to the naked eye. He will bring it out in the form of constructing buildings in Vasant Vihar, Rs. ten lakhs worth of buildings. But, your man goes and values it; he says it costs only Rs. one lakh. Whom are you going to fool? Why is it not so obvious to the naked eye of your income-tax officers and your other officers? Impound this money and you will get the black money. Then, you will have to control the prices. Why can't you have a control on prices in this country? The working class says, 'You control the price; dearness is controlled; don't give us dearness allowance.'

In an economy of shortages, Sir, the only thing that is required to be done is to regulate and control the supply and control the prices. There is no other method known in the world of restricting and regulating supply. Make it equitable at fixed prices This is the only way and you have, therefore, to impose discipline on the distributive mechanism of the country. Immediately when we start thinking of disciplining the distributive mechanism, we in this country seem to know only one way and that is bureaucratise; take over and give it to the bureaucracy. I beg of you, for God's sake, don't do that. Don't nationalise; don't bureaucratise; don't surrender and give more and more powers to these people who really do not know the business.

AN HON. MEMBER: Why don't you socialise

SHRI VASANT SATHE: This can be thought of, but in a different aspect, in a different context. You can discipline the existing distributive mechanism. This is not impossible. I will conclude by saying this. I am really sceptical about this, unless you tell us the other package, as a part of it. Today, what is happening? Sir, we say to the country. 'This method will have its impact after some time.' But our other measures like increasing the railway fares and freight overnight push up the prices by 10 per cent. So, the people say, "What is this package? On the one hand you say you are taking measures which will reduce prices in the days to come. But that very evening prices are going up." We cannot face today even our wives and explain it to them. We are really pushing the people to the wall. I am sure the people are willing to sacrifice provided we create a feeling in them that their sacrifice is worthwhile, that they are a party to the productive process and we are able to control the prices.

SHRI P. M. MEHTA (Bhavnagar): Sir, this Bill is the outcome of the utter mess and failure of this Government has failed to hold the price is the result of political adventurism in the sphere of economy. The Government has failed to hold the price line, to contain inflation and to maintain the due pace of production. That is why this situation has arisen. The statement of objects and reasons starts by saying:

> "Controlling inflation today is the single-most important task facing the country."

Who created this inflation? Did the employees and workers working in the Government offices or factories or mills or ports or railways create it? Inflation is created by the wrong economic policies of the Government. The objective of containing inflation will not be achieved by this measure. On the contrary, it will adversely affect production. You have touched the income of the workers. The real income of the workers will be eroded. This Bill seeks to impound 50 per cent of the DA and 100 per cent of the wage rise. DA is meant to neutralise the rising prices. The neutralisation is not 100 per cent; it is much less. Even that you do not want to give. You want to impound 50 per cent of it. It will result in the erosion of the real income of the workers. It will create unrest and discontent among the workers and it will adversely affect production, which is the crying need of the hour You cannot increase production by legislation. Government have neglected production all the time. They have not maintained the supply of raw materials and power and they have not removed the bottleneck of transport. Only yesterday we discussed the case of wagons remaining in stations and goods not being cleared by traders to create artificial shortage. The cumulative result of all this is low production and for that you are now asking the workers to make these sacrifices. So, this measure will not serve the object of the Government

The whole approach of this Government is anti-labour. We have the example of the recent railway strike. They could certainly have avoided that strike if they had started negotiations in time and settled the issues across the table. But they went on the path of confrontation, harassed and victimised the workers and followed an anti-labour policy.

If only the Finance Minister follows some of the suggestion that have been given, he could have this much of money without tears. But he has chosen to adopt a policy which will hit hard the working class.

It is mentioned in the Financial Memorandum:

"In the case of employees of the Government or local authorities, the Scheme will be operated through the Central or State Government agencies and in other cases mainly through the Employees' provident Fund Organisation."

Hon. Finance Minister, don't you know how the Employees' Provident Fund Organisation is functioning? It is in an utter mess. About 8 million accounts are still in arrears. Even the public sector undertakings do not carry out the directions of the provident fund authorities in regularly collecting and depositing the provident fund accounts. Lakhs of rupees are in arrears in the public sector plants and some textile mills. Even though the trade unions have demanded that amount slips should be prepared by the management for their own employees, no one takes the Employees' Provident Fund Organisation seriously. It has become utterly ineffective and corrupt. If an employee has to get some money from this organisation after his retirement, or wants to get a loan while in service, he finds he has to be almost a slave of this organisation. Now, you are adding to his slavery by handing over the Scheme to the Provident Fund organisation.

Then, an employee, a worker, is asked to produce an estate duty clearance certificate. This matter was taken up with the Central Board of Direct Taxes, *ex-officio* Under Secretary to the Government of India, Ministry of Finance. They say that the requirement of the certificate could not be done away with in view of the statutory liability imposed on the trustees, and that the amendment of the relevant Section of the Estate Duty Act will be considered when the amendment of the Estate Duty Act is just taken up.

All these points were brought to the notice of the Finance Minister also. But nothing has been done.

Under this Bill, they hand over the Additional Wages Scheme and the Compulsory Deposit Scheme to the Provident Fund organisation. I do not know what is the fate of workers in this country if they are handed over to such an organisation which is ineffective, inefficient and corrupt, doing nothing at all.

Lastly, it is good that the white-collar employees are kept out of the orbit of this Bill. Practically, the time-scale people are not covered under this Bill. It is good that they are kept out of the purview of this Bill. But the employees, the workers, without having any time-scale, though they are getting less than what the time-scale people are getting, will be obliged to impound their additional wages and dearness allowance under this Bill This should be amended. The employees, the workers, without having time-scale should not be compelled to mound their additional wages and dearness allowance. I hope, the Finance Minister will give due attention to these suggestions of mines.

**श्री राम सिंह भाई (इंदौर)** : सभापति महोदय, मैं इस बिल का समर्थन करने के लिए खडा हुआ हुं। आज देश की दुर्भाग्यपूर्ण स्थिति है। उस स्थिति में से देश को उबारने के लिए शासन जो प्रयत्न करे उस में श्रमिकों को भी अपना योगदान देना चाहिए, थोडा कष्ट भी सहन करना चाहिए। मैं कोई अर्थ-शास्त्री नही हूं, ज्योंतिषी भी नही हूं और राजनीतिज्ञ भी नहीं हूं। मैं एक मैदानी रचनात्मक श्रमिकों का कार्य करने वाला कार्यकर्त्ता हूं। उस के नाते अनुभव के आधार पर जो कठिनाइयां इस बिल से पैदा होने वाली हैं उन्हें मंत्री महोदय के समक्ष रखना चाहता हूं। मैं ऐसा मानता हूं कि इस बिल को

[श्री राम सिंह भाई]

लाने के पहले अच्छा होता जो केन्द्रीय श्रम संगठन है उन से मंत्री महोदय सलाह कर लेते क्यों कि यह बिल ऐसा है कि जिस में सब श्रम संगठनों के सहयोग की बहुत जरूरत है। अगर एक का भी असहयोग होता है तो उस का बुरा परिणाम उत्पादन के ऊपर पड सकता है। दूसरे, शासन को यह सोचना चाहिए था कि जिन प्रतिष्ठानों के श्रमिको के ऊपर यह लागू होने जा रहा है उन के ऊपर थोडा वजन डालते, थोडा शासन बर्दाशत करता और जिन पर यह लागू होता है उन को आवश्यक वस्तुएं अनाज और कपड़ा कम से कम आवश्यक फेयर प्राइस शाप्स से मिल सकता तो मैं मानता हू कि किसी प्रकार का विरोध इस में पैदा नही होता क्यो कि उन्हे आवश्यकता की वस्तुए वाजिब भाव पर मिल जाती और फिर उन के वेतन में से, महगाई भत्ते में से, बोनस वगैरह में से बचत करना चाहते है तो वे देने के लिए खुशी खुशी तैयार होने या दूसरा तरीका यह था जिसमे कोई बवडर पैदा नही होता, श्रम आयोग की सिफारिश के अनुसार प्राविडेट दो प्रतिशत बढा आप 8 से 10 प्रतिशत करदे तो दो परसेंट तो मजदूरों के वेतन मे से कट कर जमा होता और दो परसेंट कारखाने वालों को सरकार के पास प्रतिशत बचत जमा होती। मजदूरो को कोई कष्ट भी नही होता और कोई विरोध ऐसी बात भी पैदा नही होती क्यो कि श्रम आयोग ने 8 से 10 परसेंट सिफारिश प्राविडेट फड करने की है।

यह बात सही है कि उत्पादन आवश्यकता से कम होने के कारण और लोगों के हाथ में पैसा आने के कारण मुद्रा प्रसार होता है और उस के कारण भाव बढ़ते है। मुझे कहने मे कोई भय नही होता, आप अगर आंकड़े उठाकर देखेंगे तो 1972 के शुरू से मजदूरों के वेतन रिवाइज हुए है, डीअरनेस एलावेंस के रेट रिवाइज हुए है, बोनस की दर रिवाइज हुई है और पे कमीशन और ग्रेच्यूटी कानून जिनके ऊपर का यह कानून लागू हुए है उन के सब के वेतन बढे हैं इस मे कोई शक नही है। मैं मजदूर कार्यकर्ता हू, मेरे पास आकडे है। जब आप ने खाडिलकर फारमूले के अनुसार बोनस देने की नीति अपनाई और उस फारमूले की शुरुआत हुई भाव के ऊपर असर पड़ा। एक तो पिछले वर्ष सूखे के कारण उत्पादन बहुत कम हुआ दूसरा लोगो के हाथ मे पैसा आया। मैं एक छोटी सी मिसाल देता हू। मैं इसी साल फरवरी के महीने मे नेपानगर गया। वहा मेरी यूनियन है, मै उस का प्रेसीडेट हूं। मैं ने उन के साथ, प्रोडक्शन बोनस का समझौता किया। 120 टन रोजना प्रोडक्शन आता था और मैं ने मैनेजमैंट के साथ यह तय किया कि प्रोडक्शन हम बढाऐंगे, प्रोडक्शन बोनस कितना देगे? हमारा उन के साथ 32 परसेंट का तय हुआ और 120 टन के बजाय 165 टन रोजाना प्रोडक्शन आने लगा। जिस रोज वह प्रोडक्शन बोनस बाटा गया एक दिन पहले बाजार मे गेहू का भाव 180 रुपये क्विटल था बढकर 200 रुपये क्विटल हो गया। मैं ने पूछा तो मालूम हुआ कि प्रोडक्शन बोनस जो मिला है। मजदूरो की पे के दिन और एडवान्स के दिन आप उसी क्षेत्र में जा कर देखे भाव दो दिन पहले बढ़ जायगा, दो दिन बाद घट जायगा। आदमी के पास पैसो आता है उस की खरीदने की शक्ति होती है तो भाव बढ़ जाते है। आज मेरे प्रदेश में यह हाल हो रहा है कि महाराष्ट्र से ट्रकों से शराब आ रही है, हरियाना पंजाब से शराब जा रही है। क्यों? बहू

शराब पीता कौन है ? इतने तो बूजीपति हमारे यहां नहीं हैं और जो है वे तो विदेशी पीयेंगे, देशी क्यों पीने लगेंगे ? तो सवाल यह है कि गरीब के हाथ मे जिस रोज पैसा आता है श्रमिक उसी रोज खर्च कर डालता है। दूसरे रोज पठान के पास जाता है और ब्याज पर उधार लाता है। मैं तो पैसे और समय के सदुपयोग और बचत मे विश्वास रखता हू और सेविंग मे बहुत ज्यादा विश्वास रखता हू। किसी भी तरह से हो श्रमिक को सेविंग करनी चाहिए। उसे सिखाना चाहिए। मजदूर कार्यकर्त्ता का खास धर्म है कि वह मजदूरो को सेविंग करना सिखाए। हम तो यह मानते है कि अगर बीमार को दवा पिलानी है और वह दात नही खोलता है तो नाक भी दबानी पडती है इसमे कोई शक नही। अगर हम नही करते है सरकार करने जाती है उस मे सहयोग नही देते हो तो विरोध भी क्या करे ? लेकिन मैं यहा एक बात कहना चाहता हू कि 3 सौ रुपये से कम पाने वाले जो श्रमिक है उन के वेतन कुछ को छोड कर वेतन बढ़े नही है कुल टोटल मे ऐसे 40 परसेंट होते है। और मैने इस सम्बन्ध मे एक अमेंडमेंट दिया है 300 रुपये तक पाने वालो के लिये।

**श्री अटल बिहारी वाजपेयी :** उस पर डटे रहिएगा।

**श्री राम सिंह भाई :** मैं तो डटे रहने वाला नही हू आप डट सकते है। मै तो कमजोर और बुड्ढा आदमी हू कहा तक डटा रह सकता हू।

श्रीमन् इस बिल के अनुसार दो भेद भी हो गये हैं—एक सफेदपोश और दूसरा शारीरिक श्रम करने वाला। आप यह देखेंगे कि इस म आपने टाइम ये स्केल वालो को छूट दी है। जिस के अनुसार जिन का प्रमोशन हाई-पोस्ट पर हो उन को इन्कलूड नहीं किया गया है। इन्क्रीमेंट पर भी बन्दिश नही लगाई है डेपूटेशन और ट्रान्सफर वालो को भी आप ने छूट दी है और जिन को बडी-जवाबदारी का काम करना है उन को भी छूट दी है—ये सब चीजें सफेदपोशो पर लागू होती है शारीरिक श्रम करने वालो पर लागू नही होती है। इस लिये आप ने इस मे जो प्रतिबन्ध रखा है इसमे रेशनेलाइजेशन की छूट की खास जरुरत है।

आप ने 103 मिलो का टैक-ओवर किया है उन मे नई मशीनरी लगाई है। आज हिन्दुस्तान मे टैक्सटाइल इण्डस्ट्री मे 4 लूम्ज चल रहे है, स्पीनिंग मे चार साइडे चल रही है। अब अगर 2 लूम से 4 लूम करने जायेंगे तो यदि दो लूम्ज का एवरेज 55 रुपये वेतन है तो 4 लूम्ज का 55 रुपये वेतन बढाकर सेन्टपरसेन्ट वेतन बढाना होगा लेकिन डीग्रेनेस टैक्सटाइल इण्डस्ट्री मे जो औसतन 350 रुपये प्रति श्रमिक मिल रहा है वही मिलेगा, इस प्रकार दो से 4 लूमें करने पर 350 रुपये का कम्पनी को सेविंग होता है। श्रीमन् आप यह देख कि आप ने इसमे ऐक्स्ट्रा वर्क लोड की स्थिति मे बढा हुआ वेतन देने की गुजाइश नही रखी है। अगर आदमी ज्यादा काम करता है तो उसे ज्यादा वेतन मिलना ही चाहिये। उस पर प्रतिबन्ध नही होना चाहिये वरना रेशनेलाइजेशन नही होने वाला है। इस के बारे मे मेरा एक सशोधन है कि एडीशनल वर्क के लिये जो उसका वेतन बढ़ता है तो जमा नहीं किया जाना चाहिये।

जहा प्रोडक्शन बोनस दिया जा रहा है अध्यादेश के बाद उस की पहले की दर मे यदि रद्दोबदल करेंगे तो उस के लिये जमा होने की बात है। इस का अर्थ यह लगाया जा रहा है कि जिस प्रकार 8 33 परसेंट

[श्री राम सिंह भाई]

बोनस से ज्यादा देने पर वह रकम जमा होती है तो इस मे प्रोडक्सन बोनस लागू करेंगे तो वह भी मजदूरो को नही मिलेगा। म निवेदन करना चाहता हूं कि एडीशनल वर्कलोड इन्सेन्टिव और प्रोडक्शन बोनस जिस जगह और जिस ढग से शुरू किया जाने उस क वारे मे खुलासा करने की जरूरत है कि वह रकम जमा नही होगी वरना उत्पादन बढाने मे कठिनाई आयेगी।

होशगाबाद मे एक यूनीयन है जिसका मै प्रेजिडेन्ट हू वहा पहले रोजाना हडताल होती रहती थी, रोजाना उत्पादन गिर कर 4 टन प्रोडक्शन ही रह गया था, मजदूरो ने बुरी हालत कर दी थी। उन के साथ बैठकर बात की और रोजाना की औसत 6 टन प्रोडक्शन ठहरा, 6 टन से ज्यादा आने पर 50 परसेट प्रोडक्शन बोनस मिलेगा। नतीजा यह हुआ कि आज वहा 4 टन के बजाये 9 टन प्रतिदिन प्रोडक्सन आ रही है, मजदूरो को उत्पादन बोनस मिल रहा है। अगर आज उन से कहा जाय कि तुम हड-ताल के लिये बाहर निकलो तो वे निकलने को तैयार नही है – इस तरह स्थिति हम को हर जगह पैदा करनी चाहिये, इस तरह का प्रोत्साहन मजदूरो को मिलना चाहिये।

मैने इन्दौर के अन्दर इन्सेन्टिव बोनस की स्कीम लागू की। जहा पर एफिशिन्सी 65 आती थी अब 80 और 81 आ रही है। इसी तरह से स्पिनिंग के अन्दर प्रति-स्पिण्डल उत्पादन 4 औंस आती थी लेकिन अब साढे चार औंस आ रही है। जहा 66000 स्पिण्डल्स है आप अन्दाजा लगा सकते हैं कि इसका कितना फर्क पड़ा होगा। श्रीमान् मै इस बात को मानता हू कि सेविंग्ज करनी चाहिये लेकिन जो थोडी पगार पाने वाले लोग हैं, कम वेतन के लोग हैं, जो रोज काम के लिये लड़ते है और रोज वेतन पाते हैं उन को इस कानून से कठिनाई होगी। टैक्सटाइल वालो को इतनी कठिनाई नहीं होगी। म टैक्सटाइल मजदूरो का भी प्रति-निधित्व करता हू, उन को ज्यादा कठिनाई नही होगी। लेकिन एक दिक्कत अवश्य हुई है–अहमदाबाद मे टैक्सटाइल लेबर एसो-सियोशन ने अपना एक एग्रीमेन्ट किया। वहा ऐसी प्रथा चली आ रही है कि जो एग्रीमेंट अहमदाबाद मे होता है वही सारे गुजरात की मिलो पर लागू होता है। अभी हाल मे वहा सभी मिलो मे 45 से 50 रूपया महीना वेतन बढाया गया जो अहमदाबाद में तो लागू हो गया लेकिन दूसरे क्षेत्रो की मिलो पर लागू नही हो पाया था कि इसी बीच मे आप का आर्डिनेंस निकल गया। अब अहमदाबाद को छोड कर गुजरात की अन्य मिलो के मजदूरो को इस का लाभ नही पहुच सकेगा। इसलिये इसका समाधान निकालने की आवश्यकता है।

इसी तरह से महाराष्ट्र मे होता है– जो फैसला बम्बई मे होता है वही महा-राष्ट्र की मिलो पर लागू होता है। बम्बई में राष्ट्रीय मजदूर काग्रेस ने एक समझोता किया, जिस के अनुसार 50 परसेट की वेतन वृद्धि हुई, अब बम्बई वालो के तो वेतन बढ़ गये, लेकिन महाराष्ट्र के दूसरी जगहो के मजदूरो को उस का फायदा नही पहुच पाया। इस पर भी विचार करने की जरूरत है।

श्रीमान् हमारे अहमदाबाद मे मजदूर महाजन सघ ने ऐसी बाइयो के लिये जो बे पढ अगूठा लगाती है एक सेवा बैंक बनाया है। फटे कपडे, बोतल लेना, बरतन देना, झाड़ू बनाना ऐसा धधा करती है। उन बाइयो के लिये ऐसे कामो की स्कीम बनाई जो दूसरा कोई काम नही कर सके आज ये रोजाना काम कर के पेट भरने वाली

बाइयां भी सेविंग्ज करने लगी हैं। इन कामों के लिये नेतृत्व की जरूरत है नेता ही उनको बिगाड़ते हैं और नेता ही उन को बनाते हैं, योग्य नेतृत्व हो तो ये सारे काम हो सकते हैं।

इस लिये में आप से निवेदन करना चाहता हूं कि सब का सहयोग लेने के लिये सब से बात करनी चाहिये और सब से बात करने के बाद हमें देश को बनाने के लिये इन मौजूदा परिस्थितियों से निकलने के लिये समस्या का हल निकालना चाहिये।

SHRIMATI M. GODFREY (Nominated-Anglo-Indians): Mr. Chairman, Sir, I think that the Bill has come at a most inoportune time when prices of everything are going up by leaps and bounds. Even this very small increase in D.A. is not going to help the people to tide over the terrible rise in prices, particularly of essential commodities leaving aside the luxury goods.

Now, whomsoever we come across, everybody says that the price of wheat is so much, the price of sugar is so much and the prices of other essential commodities in the market are so prohibitive that the house wives feel that it is very difficult to feed the members of the family. Even the small increase that has been given the Government wants them to deposit that as a compulsory deposit. I think it is impossible for the workers to think of savings. Although Government wants to inculcate in the minds of the workers the savings habit I dare say that it is not possible for them to think of savings with such a rise in prices. There is no salvation for their family at all. As Mr. Stephen said those who are getting upto Rs 300 a month should be exempted. I would go a step further in saying that those who are getting even Rs. 600 should be exempted Because in these hard days, even with the controlled family that we have, that is, husband and wife with two children.

MR. CHAIRMAN: Madam will you please come to the front seat? We have not been able to hear you.

SHRIMATI M. GODFREY: I was telling that it is very difficult even for a small controlled family to live with a salary of Rs. 600 to pay for the house rent, feed the chidren and to pay for school fees. So, the first thing that Government should try to do is to control the prices. It would be better if the Government would try to give the workers the essential things, that is food, housing and clothing. Government, if it has determined to give to its workers food, clothing and perhaps a small house to live in then the workers will themselves voluntarily come forward to deposit the money with Government instead of their making it a compulsion on them to do so. The workers feel that the rupee value must remain the same for a year or two. What is the value of the rupee that is given to them? This is a small increase that you are giving them. With this, they will not be able to purchase food article for two days. And even this small increase which the Government wants to give, it wants to cut it. Besides, if the Government is considering this rise in wages and salaries are needed by the workers most at the present moment then what is the use of giving a rise but withholding it. I do not think it is a correct attitude to be taken for workers. If the wants of the workers are not relieved when they need it most the additional emoluments will not be of any value at a later stage. It is just like giving a sweet to the child but asking him not to eat it. The Government is offering increase in dearness allowance but taking it away in the form of compulsory deposit The Government just wants to satisfy themselves that they are trying to relieve the conditions of the workers but in this way they are just throwing false hopes. The Government should realise at this time it is essential that people are enabled to live in what they are getting.

The riots and the unrest among the people are not for any change in the

[Shrimati M. Godfrey]

Government but they are there because everybody feels he cannot cope with the price-rise. It is the price-rise which is upsetting the Government everywhere. I hope Government would think of controlling the price so that everybody may be happy and be living in peace. It is high-time that the Government thinks of some ways distributing essential commodities because nobody wants money as money cannot buy them anything. It is much better that the Government thinks of as to how to provide food and clothing to the poor workers.

I do not want to say very much but would only request that the Government may look into this matter and try to alleviate the sufferings of so many poor people who are really on the verge of starvation.

Lately it has come in the papers about persons digging the graves and selling the bones so as to purchase food. I think it is the last stage that in our country people have bowed to such low occupation. Government must look into it seriously. It hurt me also very much to read about ladies taking up to other ways of earning for their living. This is very sad. I would really beg of the Government to do something so that they may stop this kind of life and, particularly, the younger generation should feel that they are living in a country where Government is wanting to help them and cater to their needs. With this I request that the first part of the Bill be implemented but the later part where the compulsory deposits are required to be made be postponed to a later date.

SHRI KRISHNARAO PATIL (Jalgaon): Mr. Chairman, Sir I would like to support this Bill which is one of the measures of a package. Some measures have already been declared. Out of those measures one is under discussion and some of the measures will be taken in future. Of course, though late Government has ultimately come with some substantial measures for which I must express my satisfaction. We all agree—irrespective of party and group affiliation—that the country is passing through economic crisis of great magnitude and of complex nature. So, ultimately we have to find out some solution for this. We have to analyse the causes of inflation for this purpose. We have done it a number of times and there has been discussion in this House regarding the causes as well as the solutions. So, I do not want to repeat the series of causes again.

I have heard the speech of Shri Atal Bihari Vajpayee and of most of the champions of the organised working class. I do not want to go into that controversy, but the situation is so grave, that if we take into account the gravity of the situation, the question comes before us whether this country, this Government and the people in general are prepared mentally to face the situation and secondly whether as a corollary to that, the people and all of us are prepared to place national interest above the individual or sectional or institutional interest. These are the two important general questions that arise.

Shri Vajpayee had made some analysis and given some causes according to his own view point. I think there is no difference on that, and so, I do not want to repeat the whole thing. All of us know the general causes namely decline in agricultural production, increase in money supply and so on. Of course, there is some difference of opinion in regard to the latter. But it is clear that because of enormous money supply in circulation, inflation has taken this shape. According to my own assessment during the last two or three years, the increase in money supply has been more than Rs. 3000 crores. Some hon. Members have attributed the blame to Government saying that Government are alone responsible for this. I do not understand whether Government have really

adopted this sort of bankrupt economic policy. Was there no genuine reason to adopt these measures in order to raise the additional burden of money required? I do not want to refer to the 1971 war and all that, or the drought that followed thereafter. But is it not the duty of this country, and particularly of Government to face the drought situation and to save the people who are likely to suffer from starvation? It was the duty of Government and they have done that duty. According to my own assessment, during the drought period, there was stagnation in the industrial field also. One thing is certain that we have suffered a lot, but then we know that the people in, general have also suffered a lot. Arguments have been advanced here from the organised sections of labour. But as representatives of the people can we afford to forget those vast sections of the people who are just leading their life and who are below the poverty line? They are 22 crores.

PROF. MADHU DANDAVATE: Now 67 per cent.

**17 hrs.**

SHRI KRISHNARAO PATIL: We shall have to take into account the hardship of the people who are not actually represented here. They are leading a life below the poverty line. That is why we have to think about them. I think Government has done the right thing to come with this measure. We are much worried about a sort of scarcity psychology.

श्री हुकम चन्द कछवाय (मुरेना): आज की तनख्वाह और भत्ता काट लें तो क्या होगा ?

SHRI KRISHNARAO PATIL: Yes, Shri Vajpayee mentioned it. Let us start with MLAs and MPs. Actually, since a year back many members from this side have been having a 10 per cent cut in their salaries.

Government had promised to effect economy to the extent of Rs. 400 crores last year. I think the actual figure of the economy effected is Rs. 270 crores. I think that is something—it is a step in the right direction.

We know that the object of the Bill is to withdraw some amount from recess liquidity, in circulation. It is a limited object. If as a result of this whole package of measures we can save Rs. 2,000 crores and we get the benefit of normal seasons in the next two years we will be in a position to check the pressure on circulation, the valocity of circulation and thus we can be in a position to normalise the situation and stabilise prices.

Then I would request the Finance Minister to expedite the Bill on ceiling on urban property. That would be a great help to change the psychology of people in the country. It is long overdue. We have been waiting for that. I suggest that at least in the next session it must be brought.

Then we have to deal with the people indulging in hoarding and profiteering. These vested interests have started a process of undeclared war against the masses. They do not bother about the independence of this country; they do not care for the hardship of the common people; they do not bother about anything except their own profit. That is why I would request Government not to rely on the traders and big businessmen. Government must take stern measures against black money. Black money must be attacked and unearthed. Ultimately all htis is essential to bring the situation back to normalcy.

SHRI P. K. DEO (Kalahandi): I have been listening to the various speeches and find that except a feeble support from very few members, the consensus of the entire House is that the Ordinance should be thrown out lock, stock and barrel.

**17.04 hrs.**

[SHRI VASANT SATHE *in the Chair*]

I do not think any persuasion would be needed to support the Resolution so ably moved by my hon. friend, Shri Vajpayee, disapproving of the Ordinance and the Bill, Sir, what is the use of having an Ordinance when the

[Shri P. K. Deo]

House was going to sit in 15 days time. This special power exercised by the executive is adding insult to the injury on the Legislature which is a sovereign body and which goes into all aspects of the question so far as the welfare of labourers is concerned. Sir, to me it is waging a war against the working class. Sir, in order to find some scapegoat, some alibi, some excuse and to strengthen his arguments and build up his case, the Finance Minister has stated that this is a peakage deal to fight inflation. Who is responsible for this inflation? It is your own creation. It is the result of persistent pursuit of wrong policies and priorities over all these years. This is the ultimate result. Now, you are going to face the music and you try to pass on the baby to somebody else; you are asking the working class to be prepared for some sacrifice. You are impounding the additional wages, savings and dearness allowance of the working class which is nothing but wage-freeze. Already, the increase in wages is not commensurate with the rising prices. To me, it amounts to adding insult to the injury. In this country, we pay lip sympathy to the working class. Whatever little good we have done by way of legislations like Payment of Wages Act, Bonus Act, Minimum Wages Act, Industrial Disputes Act etc. all the good that has been done is going to be undone by these very measures that you are going to take.

Sir regarding purchasing power you have very rightly pointed out that it is going down every day. Unless there is more supply of goods, by merely impounding the additional wages that the working class is to get, you are not going to solve the problem. You are just tinkering with the problem. You will hardly touch the fringe of the problem.

Sir, regarding black money, you have expressed your concern in your most eloquent speech and other speakers also spoke about black money and expressed their concern. The easiest method of stopping black money, as suggested by Mr. Jaya Prakash Narayan would be that all the political donations which various parties receive at the time of elections should be declared, the accounts of the political parties should be audited and should be available for public scrutiny. This only can stop black money whose circulation has created all these problems. Lastely I would like to say....

MR. CHAIRMAN: This suggestion is simplistic.

SHRI P. K. DEO: We can at least make a beginning Then, Sir, Article 43 of the Constitution under the Directive Principles of the State Policy, says:

> "The State shall endeavour to secure, by suitable legislation or economic organisation or in any other way, to all workers, agricultural, industrial or otherwise work, a living wage."

How are you going to provide a living wage? There is constant erosion of the value of the rupee and after two years, the purchasing power of the people will further go down. Are you going to provide a living wage? You are not going to provide a living wage. This is unconstitutional, illegal and this is against all principles of so called socialism you profess. This has to be thrown out lock, stock and barrel.

SHRI RAJA KULKARNI (Bombay-North-east): Sir, the measure under consideration is an exercise in tight rope walking on various issues related to the role and status of wages under inflationary conditions. It is exactly the indecisive mind and doubtful conditions in which this exercise is undertaken that has created doubts about the achievements of this measure. The Finance Minister clearly, stated that this is not a ban on wage revision, it is not a wage freeze. Constitutionally and legally he is correct. But at the same time, when the Bill freezes the purchasing power as on 6th July, it has its repercussions.

It acts as a restraint on wage revision in all undertakings, public or private. So far as public sector undetakings are concerned, there has been restrant, direct and indirect, and various types of controls over wage revisions. In that background, when this is considered, the dividig line between wage freeze and freezing of the pnrchasing power becomes very thin. One does not know what it will achieve when we are doing this tight rope walking on this concept.

It has been said that this is not mobilisation of resources but immobilisation. Out of Rs. 900 crores which might have to be paid as additional DA to 18 million workers, Government is attempting to immobilise Rs. 450 crores plus the wage increases that will come. The question is, whether this immobilisation can and will achieve the purpose or there should be an open attempt to mobilise the resources by calling it a saving. The Government is putting it into a compulsory deposit. If deposit is not saving, what else is it? It is a fixed time deposit which means it is nothing else but savings. Saving is nothing else but mobilisation of resources. But it will be said, "We are not going to spend it or invest it It will not be spent for developmental or any other purpose. Therefore, it is immobilisation." Taking the money away from circulation and funding it into the Reserve Bank—partly it is immobilisation and partly it comes under mobilisation. Under such tight rope, walking between mobilisation of resources and immobilisation for the purpose of withdrawing the money from circulation, one does not know how far this is a decisive attitude which will help in fighting inflation.

The main objectionable thing is putting wage money on par with dividend money. That is what the workig class is objecting to.

While it is true that every money is in circulation and while we do agree with the Finance Minister that what is needed today to fight inflation is to curb the money supply, the aggregate money demand has to be curbed and, therefore, the money has to be withdrawn from circulation. What type of money has to be withdrawn from circulation? The money which causes inflation, the money which is available for saving and investment, that has to be taken out of circulation. In this context, if you are touching the wages, is there any element of saving in any of the wages that are being paid in any industry or commercial undertaking? Whether you take the minimum wage, or the need based wage, fair wage or living wage, there is no element of saving. Because they are required for immediate consumption. Now you are asking the workers to sacrifice the present cosumption in the ultimate, national or future interest. But a curb on present consumption will hit production. And production is already moving around the level of zero growth rate because of shortage of power, shortage of raw materials, bottleneck of transport, mismanagement, the operation of the parallel economy and so on. Under these circumstances, the only motivating force for pushing up production, which as the ultimate measuring rod for fighting inflation, is the moral of the workers. If the workers are hit by the present curb on consumption, that will affect production. You should also remember that the entire wages are not paid in cash. About 15 per cent of the wages are already deducted for provident fund or Employees State Insurance. Government are already mopping up those resources from the savings of the workers. Therefore, this measure should have been avoided.

We would have preferred some other measures rather than this. For instance, it was open to the Government under the difficult economic conditions to raise the provident fund ontribution in all industries to ten per cent. It would have helped the Government in mobilising resources instead of immobilising the circulation of money. If it is not sufficient, there are some other measures which are followned in other countries. One is

[Shri Raja Kulkarni]

to decide the standard ratio between the labour cost and the total cost of production. But Government have avoided that measure, which is adopted in other countries, and have taken to this unusual method which is risky I wish all success to the measure of the Finance Minister and I support it with this observation that we have our own reservations.

PROF. MADHU DANDAVATE (Rajapur): Mr. Chairman, Sir, even in this debate, I would not like to take a complacent attitude as if there is no problem of inflation. It has been one of the great achievements of this Government for the last several years that today inflation in our country is one of the highest in the world.

SHRI C. M. STEPHEN: No

PROF. MADHU DANDAVATE: One of the highest in the world. I am very careful about using the words. I will give the statistics. The International Monetary Fund figures that have been published in December, 1973 indicate that among the highest figures relating to inflation first stands Chile with 528 per cent, second comes Vietnam with 59 per cent and we have got a distinguished mark of being the third on the lish with 24 per cent. These are the figures that are available. From these figures, it is very clear that the problem of inflation is tremendous. But if the problem of inflation is to be tackled, my only plea with the Finance Ministry is that one of the rules regarding economic development and the problems of curbing inflation is that let there be an approach of equality of sacrifices.

If at all the burdens of development are to be borne, why is it that it is only the organised working class in the country, the landless people in the country and the peasantry in the country should suffer the pangs of burden. Therefore, my contention is that you try to understand this particular balance aspect and do not try to put more burden on the industrial workers, the organised labour in this country.

It is argued that, after all, for one year and two years only the additional emoluments are going to be put as compulsory deposits and they are going to be made available to the workers and it is considered as some sort of a saving which will help the economy of the country and also the workers. But here let me point out that in the present conditions, if the dearness allowance is improved, if the emoluments are improved, they are not to give affluence to the industrial workers. They are badly hit. The additional dearness allowance and the additional emoluments are a must for the workers. It has been clearly established that for the last several years, the rupee value has edinwdled by leaps and bounds. I do not want to quote all the figures. In 1950, the value of the rupee was 99.1, taking the base (1949—100); in 1960, it was 80.6 in 1970, it was 44.2; in 1973, it was 31.6 and in May, 1974 it was 28.0. The value of the rupee has come down to 28.0.

That being the position, with such a position of dwindling value of the rupee, if additional allowance is offered, if additional emoluments are offered, to the workers, it is not that they are going to improve the affluence of workers. It is a must for them for their daily expenditure. If this is going to be put as a compulsory deposit in the case of increased wages for one year and 50 per cent of D.A. for two years, in that case, during the intervening period, the workers are not going to cut down their expenditure. What is likely to happen is that they will borrow loans, they will get loans from money-lenders, they will draw loans on an exorbitant rate of interest. As a result of that, if you take into account the loans taken in the course of two years along with the interest that they pay on loans, you will find that this amount will outstrip the amount that they are likely to get back after two years along with

in increased rate of 2.5 per cent interest. Therefore, their burden will increased and, as a result of that, the problem will not be tackled at all.

In this particular case, I would not like to take a negative approach. Don't try to tax the workers. Whom should they tax then? It is here that I would like to put positive solutions. Very often, we are told that the inflationary situtions has grown. But every time, it is told, as one of the Members said, it is the organised working class which is generating more pressure, demanding more dearness allowance and, as a vicious circle, the inflation is growing. If you go through the Approach Documesnt of the Fifth Plan, if you also go through the valuable work that has been put in by the National Council for Applied Economic Research, you will find that they have very clearly brought out how it is that not only the organised working class in the country which is responsible for growing inflation but there are other factors which are also responsible.

You always talk in terms of a package deal. Package deal is a very favourite thing of our Finance Minister and also of the Prime Minister. Therefore, I would like him to tackle this problem of inflation only on the basis of a package deal. If the package deal is to be undertaken, there are six or seven important factors. I would only cursorily refer to them in a minute. Unless she is able to have an overall tackling of the problem, the inflation cannot be tackled merely by impounding the increased dearness allowance and increased wages.

The first and foremost thing is the excess demand in relation to the goods available. There is no adequate availability of goods. Secondly, there are persons with unearned income in the form of black money. The Wanchoo Committee made an estimate in 1969-70 that it was to the tune of Rs. 7,000 crores. The National Council of Applied Economic Research has said that, in 1971, the black money was of the order of Rs. 7,280 crores and by November, 1973 it had increased to Rs. 10,273 crores. If that is the extent of the black money, then naturally there is a scramble for purchasing things from wholesale dealers and you find the prices going up. So, that aspect has to be tackled.

Then, we have an increased cost of production, but you find that the actual productivity is not in commensurate with the increased cost of production. Therefore, the entire emphasis has to be changed. To reduce the cost of production, we must take up to small unit technology.

A very important aspect that is neglected by our Government and as a result of which there is an inflationary pressure on our economy is that the priority given by our Government is for capacity creation and not for capacity utilisation. Unless they shift the priority from capacity creation to capacity utilisation, it will not be possible for them to augment the production in the country. Therefore, that shift also has to be ensured

Then there are failure of large scale investment programmes in the absence of assured supply of essential commodities. The failure is on the production front; it is not due to the workers; it is due to the inequitable distribution of raw materials, secondly, managerial inefficiency, and thirdly injustice that is done to the workers by way of lack of adequate production incentives.

Then there has been the ever-mounting deficit financing; in the First Five-Year Plan it was Rs. 333 crores and now on the eve of the Fifth Five-Year Plan it is Rs. 2,000 crores. This deficit financing has to be curtailed. The non-developmental expenditure which has mounted to 67 per cent has to be curtailed.

If all these aspects are dealt with in a cumulative manner, then only the inflationary pressures in our country will be controlled.

[Prof. Madhu Dandavate]

Here I must point out one thing. You say that it is not a wage-freeze. But when the amount that is impounded is not going to be available to the workers for direct expenditure here and now, that itself is wage-freeze. What else is wage-freeze? Whereas on the one side you are prepared to introduce wage-freeze by back-door, on the other side you are not prepared to unearth the black money in the country. Our Finance Minister claims that, in 1946, they tried this experiment of demonetisation in India, but it failed; in Ceylon they tried in 1970 but it failed. If it failed in 1946, in India it was because of the fact that 76.5 per cent of our entire currency in 1946, which consisted of ten-rupee and hundred-rupee notes, remained completely untouched. As a result of that, there was not sufficient contraction in the circulated money in the country. But there are a number of countries in which, effectively, demonetisation was undertaken and it was successful. My contention is that, even if the Finance Minister undertakes demonetisation of ten-rupee and hundred-rupee notes in isolation, that measure is not likely to succeed. Therefore, demonetisation itself has to be a part and parcel of a package programme in which, along with demonetisation, other things also have to be undertaken. Here the Raj Committee's recommendations are extremely important. The recommendation of the Raj Committee of clubbing agricultural and non-agricultural income, on which a number of Chief Ministers have given their resentment, has to be implemented so that the loophole of a considerable portion of non-agricultural income passing off untaxed in the form of agricultural income can be plugged. Also the concept of ceiling will have to be widened so that income, property and expenditure are all brought into the entire ambit of ceiling. If this package programme is undertaken, we can assure you that there will be full cooperation from the industrial labour as well as the peasantry in this country. If such a package programme is undertaken, then in that case these cursory, piecemeal and halting measures like impounding the increase in the wages of the working class and fifty per cent of the increase in the dearness allowance will not be required. I conclude by warning the Finance Minister that merely by votes being taken in this House this problem will not be solved. Industrial peace in this country can never be developed by taking votes in Parliament. You have to win the confidence of the organised labour in the country. Approach the central trade union organisations in the country. You have to have some dialogue with them. Fortunately we have some very good support with them. You should sit with them, bring all central organisations together; you should discuss with them the problems facing you, to fight inflatioin. If they are taken into confidence then alone your scheme will work. If you try to rub the organised labour in the wrong way as this Bill does, you will not be able to achieve the object of the Bill. The object of the Bill itself will be defeated. You can get the Bill passed by voice vote or by division. But so long as organised working class fight for their rights, this Bill will never be pushed through. I warn the Finance Minister that all the benefits and facilities which have come to working class in this country and other countries in the world have come not only by mere legislation. They are all the ultimate consequence of the organised pressure of the struggle of the working class outside. It is only through legislation reflecting the aspirations of the labour and working class that you can achieve your objectives. Or else, the pressure of the working class will compel this Government to change its orientation to win the battle for the working class in this country.

श्री मूल चन्द डागा (पाली): सभापति महोदय, मैं तो एक बात पूछता हूं कि पिछले 27 सालों में हम ने क्या जादू किया और अब आगे 5 सालों में क्या जादू

होने वाला है। मेहरबानी करके यह बतला दीजिए कि 5 सालों में कितना रुपया इकट्ठा हो जायेगा और पांच साल के बाद क्या हालत हो जायगी कि जिस दिन आप सारा रुपया चुका सकेंगे और मुल्क की हालत सुधर जायेगी। सरकार के अन्दर 1 करोड़ 20 लाख आदमी काम करते हैं 35 लाख मेरे ख्याल से उत्पादन का काम करते होंगे सब की एकाउन्टेबिलिटी ले लीजिए। मुझे तो अफसोस यह है कि जो मेजन हमें मुद्रा को रोकने के लिए लाने चाहिए उन को हम नहीं लाते। मैंने कई बार कहा है—आप आवरटाइम एनाउन्स देते है एक झटके से कहिए कि हम इस को बन्द करते है। आज लाखों हजारों मकान सरकारी नौकरों ने बना रखे है सरकार से लोन लेकर बनाये है, लेकिन उन में रहते नहीं है रहते है सरकारी क्वाटरों में उन को किराये पर चढ़ाया हुआ है। हजारों-लाखों रेलवे कर्मचारी फ्री यात्रा करते है—आप बतलाइये कौन-सा सरकारी नौकर उत्पादन का काम करता है। आप की कोल माइन्ज है दूसरी माइन्ज है जहां हजारों वर्कर्स काम करते है जहां आज घाटे की अर्थ-व्यवस्था चलानी पड़ती है। आप ने कल का ही फूड कार्पोरेशन का डेटा देखा होगा कितना रुपया हमें देना पड़ता है। हम ने बड़े-बड़े बांध बनाये है करोड़ों रुपया बिजली और पानी के लिए इन्वेस्ट किया है क्या उन से सही रिटर्न आता है?

अभी राज कमेटी का जिक्र किया गया। वास्तविकता यह है कि हम जो कदम उठाना चाहते है उन को उठा नहीं पाते है। मैं कभी कभी सोचता हूं आप 5 साल के बाद कितनी धनराशि 11 परसेन्ट ब्याज के साथ चुका सकेंगे। आपका कहना ठीक है कि आज बड़ी चिन्ताजनक हालत है, उस से सबको त्याग की भूमिका निभानी होगी, लेकिन यह त्याग सबसे कराइये। आज बड़े-बड़े डाक्टर्स हैं इन्जीनियर्स है, लायर्स है, उन की आमदनी पर इन्कम टैक्स नहीं लगता है। मैंने बहुत से पान वाले देखे है जिन की बड़ी आमदनी है, स्मगलर्स हैं और दूसरे बड़े बड़े लोग हैं उन को कोई टच नहीं करता है। हम लोग सिर्फ उन्हीं लोगों को टच करते हैं जो हमारे हाथ में होते है जिन के ऊपर हमारा अधिकार होता है। ऐसे बहुत से धन्धे हैं जिन में लोग प्राइवेट प्रैक्टिस करते है, काम करने है टेलर्स को ले लीजिए, ऐसी दुकानें हैं जहां एक बुशर्ट की सिलाई 15 रुपए से 50 रुपए तक लगती है—लेकिन इन की आमदनी को कोई टच नहीं करता है।

हमारा 78 परसेन्ट रेवेन्यू आज एडमिनिस्ट्रेशन पर खर्च होता है—पहले कितना खर्च होता था और आज कितना खर्च हो रहा है—इतना कैसे बढ़ गया—क्या आप कभी सोचते हैं। रोजाना इन की तनख्वाहें बढ़ती जाती हैं। अभी कल ही रेलवे की बात हो रही थी—यहां जितना रुपया खर्च होता है सब अनप्रोडक्टिव कामों पर खर्च होता है—इस को रोकिए। जो अनइकानामिक ढंग से और अनप्राडक्टिव कामों पर खर्च हो रहे हैं उस के खिलाफ हम कदम नहीं उठाते है—इन का जो प्रोडक्टिव कामों में लगा हुआ है उस के मन में असन्तोष पैदा होता है, इस से हमारे मजदूरों में असन्तोष फैलता है। अटल बिहारी जी अभी कह रहे थे कि इस का 60 परसन्ट पर असर पड़ेगा, लेकिन इस से भी ज्यादा तो गरीब मजदूर हैं। जहां हमें कदम उठाना चाहिये, वहां हम नहीं उठाते हैं, जहां से हम ले सकते है वहां से नहीं ले पाते हैं हर एक आदमी गाली देता है। जहां-जहां पैसा जमा होता है ये बनिये ये पूंजीपति इन को किस लिये पैदा किया है इन का जरिया कौन है? इन का जरिया आप के आफिसर्ज हैं। सरकारी कर्मचारी उस बनिये से मिलता है, उस पूंजीपति से मिलता है तो वह फूलता जाता है। यह सारी गड़बड़ तो हमारे घर में ही है। इस सेजर से आप कितना रुपया चुका सकेंगे — मुझे तो इस में शक है मेरे ख्याल से यह काम ज्यादा उपयोगी साबित नहीं होगा।

MR. CHAIRMAN: Mr. Thevar Kindly cooperate with me. Restrict your speech to three minutes because we are already short of time.

SHRI K. MAYATHEVAR (Dindigul): Mr. Chairman, Sir, I thank you very much for having given me this opportunity to contribute my views on this Bill on behalf of my party.

Sir, this Ordinance was promulgated just three days prior to the commencement of this House. I do not know the reason why in such a hurry this was promulgated. No invasion took place over this country either by Pakistan or by China. Why was this Ordinance promulgated? That too was against the poor working class people numbering about 1½ crores or so. We expected that this Government would bring forward a Bill to check the inflation and arrest the risen prices in this country against the blackmarketeers, black-money holders etc.

I would draw your attention to what had happened in Bangladesh on 22nd July, 1974, They introduced a new legislation in their Parliament for inflicting a death penalty on black marketeers, smugglers and the anti-national elements in that country. This is a small country which has got less than even one-fifth of our country's population. We are legislating so many acts in this House which are unwise. I consider this Bill as unwise, unconstitutional, unethical and illegal one. Therefore, I demand that this Government should withdraw this. This Bill is unconstitutional, illegal and *ultra vires* in the legal sense of the term. Of course this Party has got a majority to get this bill passed. Tomorrow, after passing of this Bill, somebody might file a writ petition in the court. Already I learn there are more than a dozen writ petitions filed in the Supreme Court of India. And, if tomorrow, this Bill is set aside by the Supreme Court or they hold this as invalid or unconstitutional, we will not be able to face the people as they will consider us as unwise legislators.

That is why I request the hon. Minister to think over once again before passing this Bill.

I am very much astonished to find penal provisions in Section 14 of this Bill. I request that the Government may kindly withdraw the penal provisions enshrined and laid-down in Section 14, namely, lines 15 to 20 which deal with the penal provisions against the employees. I fail to understand whether these employees on whose back you are stabbing are they criminals, black-marketeers, profiteers or counterfeit currency holders. You are penalising the workers who are meeting the life and death problem in their day-to-day life. Therefore, I request the Government to withdraw these penal provisions

So far as my view is concerned, if this Government is earnest to consider the recommendations made by Wanchoo Committee, there are so many recommendations this Committee made for digging out black money but this Government failed to consider even an iota of those recommendations. Then what is the use of appointing so many Committees and wasting lakhs of rupees if the Government of India does not want to accept their recommendations. Therefore, I request the Government to consider the Wanchoo Committee's recommendations.

I oppose the Bill tooth and nail on behalf of my party.

श्री दामोदर पांडे (हजारीबाग): सभापति जी, इस बिल का हृदय से समर्थन तो नही किया जा सकता, दिक्कत यह है कि जिस मकसद से यह बिल लाया गया है। मैं नही समझता कुछ हद तक भी उस मकसद में सफलता मिलेगी। जैसा कि कह गया, इसका एक मकसद यह था कि कुछ

एफ्लूएन्ट सोसायटी के लोग, ज्यादा पैसा खर्च करने वाले लोग, जिनके पास अधिक पैसा है वह चीजों की कीमत बढ़ा रहे हैं और इसलिए चीजों के दाम घटते नहीं बल्कि बढ़ते जा रहे हैं। तो जिनके हाथ में ज्यादा पैसा हैं उनके हाथ से वह पैसा छीना जाये, उनके पास पैसा कुछ कम किया जाये, मैं समझता हूं यह बात वाजिब थी, उचित थी और इस तरह का कोई भी कदम दुर्भाग्यपूर्ण या असहयोगपूर्ण कदम नहीं होना लेकिन आज क्या स्थिति है उसका आप मूल्यांकन करें तो पता चलेगा कि आज एक मजदूर जिसकी तनख्वाह 3 रुपए रोज है, जो आज सौ रुपए महीना कमाता है, 8 घंटे मेहनत करता है अभरख की खदानों में, मैंगनीज की खदानों में या लोहे की खदानों में उसका तीन रुपए में पेट नहीं भरता। फिर वह मजदूर सिर्फ अकेला ही नहीं है, उसका परिवार और बाल बच्चे भी है। उसके सामने अपने परिवार की समस्यायें भी है। अगर मेहनत करने के बाद वह थोड़ी लड़ाई करता है, थोड़ी ताकत दिखाता है और उसके बल पर उनको कुछ हासिल होता है तो आप कहते है कि यह तो ज्यादा खर्च करने वाला हो गया। अगर उसकी तनख्वाह तीन रुपए से चार रुपए रोज हो गई तो आपकी निगाह में वह ज्यादा खर्चा करने वाला हो गया, उसकी वजह से कीमतें बढ़ जायेगी—यह बात मेरी समझ में नहीं आई।

आज हालत क्या है उसका एक नमूना मैं आपके सामने रखना चाहता हूं। 1967 में कोयला खदान मजदूरों के बेज का रिवीजन हुआ। तब से पांच साल जब पूरे हुए तो मजदूरों ने मांग शुरू की कि हमारी तनख्वाह की बढ़ोत्तरी होनी चाहिए, हमारे वेतन में सुधार होना चाहिए। 1972 में कोकिंग कोल का नेशनलाइजेशन हो गया तो कहा गया 6 महीने बैठो जरा स्टैब्लाइज करने दो फिर तुम्हारी तनख्वाह बढ़ेगी। फिर जब 6 महीने ही नहीं साल भर बीत गया तो कहा गया नानकोकिंग कोल का नेशनलाइजेशन होगा। वह भी कर लिया तो कहा गया कि हमारी तनख्वाह का क्या होगा तो बोले थोड़ा सा स्टैब्लाइज करने दो फिर तनख्वाह बढ़ायेंगे। तुम तकलीफ में हो यह हम मानते हैं, इसी बुनियाद पर नेशनलाइजेशन किया गया कि कोयला खदानों के मजदूरों को उचित तनख्वाह नहीं मिलती। राष्ट्रीयकरण के बाद सरकार ने यह उचित समझा कि उनकी मजदूरी में सुधार के लिए कमेटी बनाई जाये। एक बाईपार्टाइट कमेटी भी बनी। मई में उस कमेटी में समझौता या सहमति जो भी कहिए, वह हुई। फिर वह समझौता या सहमति सरकार के पास आई और इसी बीच आर्डिनेन्स भी आ गया। तो आज उनकी स्थिति क्या होगी? 1967 में जो उनकी मजदूरी थी उसमें आज जो कुछ पैसा उनको मिलने वाला था उसको आप कहते है कि हम ले लेंगे और पांच साल के बाद देंगे। पिछले दस सालों में पैसा मिला नहीं और आप कहते हैं अगले 5 सालों तक हम देने वाले नहीं है। आप उम्मीद करते हैं कि कोयले का उत्पादन बढ़े। कोयले का उत्पादन इस लिए बढ़े कि अधिक बिजली पैदा हो और उससे अधिक उद्योगीकरण हो, देश में अधिक उद्योग—धंधे चल सकें, कल—कारखाने चल सकें। आपके इस्पात की अधिक पैदावार हो। लेकिन क्या आप समझते हैं मजदूरों को दुखी और नंगा रखकर, उनकी तनख्वाहें काटकर अपना उत्पादन बढ़ायेंगे? यह सम्भव नहीं है।

इस सम्बन्ध में मैं एक सुझाव देना चाहता हूं कि जिस तरह से आपने इसमें प्रावधान रखा है कि वेतन आयोग के द्वारा जिनकी तनख्वाह निर्धारित की जायेगी चाहे वह केन्द्रीय सरकार के कर्मचारी हों या राज्य सरकार के कर्मचारी हों, उनके वेतन को नहीं छुआ जायेगा, उसी प्रकार से मन्त्रीजी से मेरा निवेदन है कि जिस प्रकार से आपने उन पर कृपा की है कोयला खदान मजदूरों पर

[श्री दामोदर पांडे]

भी आप कृपा कर दीजिए कि जो कमेटी आपने बनाई है, जो कमेटी सरकार ने बनाई है, उस कमेटी ने जो सिफारिशें दी है उन सिफारिशों को कम से कम आप न छुयें। उस कमेटी की जो सिफारिशें है उनमे कोई कटौती नही होनी चाहिए, यह मेरी आपसे दरख्वास्त है।

दूसरे मै यह निवेदन करना चाहता हू कि जैसा आप जानते है यह बहुत बडा देश है और इसमे काफी इम्बैलेन्स है। खासकर देश का पूर्वी क्षेत्र बडी खराब स्थिति मे है। बगाल, बिहार, उडीसा के मजदूरो की तनख्वाह की हालत बहुत खराब है। सौ रूपया महीना मिलता है। और किसी भाई ने कहा 67 प्रतिशत ऐसे देशवासी है जिनको वह भी नही मिलता। मै मानता हू उनको नही मिलता लेकिन क्या 67 प्रतिशत देशवासी 8 घटे काम करते है तब उनको नही मिलता है या बेकार रहते है तब नही मिलता है? जब उनको रोजी नही मिलती तो मजदूरी भी नही मिलती लेकिन यह मजदूर 8 घटे धरती की छाती चीरकर आपको कोयला और लोहा देते है। तब भी उनको खाने के लिए रोटी नही मिलती। तब आप उनसे क्या उम्मीद कर सकते है? यदि इम्बैलेन्स को देखा जाये तो अहमदाबाद, बम्बई और पजाब मे तीन सौ, चार सौ रुपये से कम मिनिमम वेज नही है तो क्या उस स्तर तक यह मजदूर भी आ सके इस बात की व्यवस्था नही होनी चाहिए? मै चाहता हू कि जो कम से कम तनख्वाह पाने वाले लोग है उन के स्तर पर भी बाकी मजदूरो की तनख्वाह नीचे नही जायेगी इस की व्यवस्था बिल मे होनी चाहिये। मै चाहूगा मन्त्री जी इस बात का आश्वासन दें कि कम से कम 3, 4 सौ रुपये तक अगर तनख्वाह की बढ़ोतरी होगी जिस की सम्भावना है क्योकि आज पूर्वी क्षेत्र मे मजदूर जागरूक हुए है और उन्होने कुछ ताकत पैदा की है जिस की वजह से उन को कुछ हासिल होगा, इसलिये जो हासिल होगा उस को अगर आप ले लेंगे तो उन में बड़ी बेचैनी होगी। इसलिये एक स्तर तय कीजिये कि मिनिमम स्तर पर जो तनख्वाह होगी उस तक तनख्वाह मे जो बढ़ोत्तरी होगी उस को नही छूआ जायेगा। इस के बारे में एक निश्चित मत होना चाहिए।

SHRIMATI PARVATHI KRISHNAN (Coimbatore) Your coal miners will lose if you say like that. Do not spoil your speech like this.

SHRI DAMODAR PANDEY: That is about minimum wage For coal miners, I have said separately

मेरा दूसरा सुझाव है बहुत से पूर्व-वक्ताओ ने कहा कि यह जो कुछ भी हम कर रहे है उस का एक ही मकसद है कि उत्पादन मे बढोतरी हो और ऐसा वातावरण तैयार किया जाये कि देश मे कृषि और औद्योगिक उत्पादन बढे। तो औद्योगिक उत्पादन बढे इस के लिए कम से कम आप जो तनख्वाह निर्धारित करेगे बहुत जगह इसेंटिव बोनस स्कीम लागू की गई है, कुछ प्राइवेट और पब्लिक सेक्टर मे है। अब स्थिति यह है कि इसेंटिव बोनस पर भी कटौती शुरू हो गई। वित्त मन्त्री ने कहा जो रेट इसेंटिव का है उस मे कटौती नही करेगे। लेकिन उस का इम्प्लीकेशन क्या है उस को मै यहा पर रखना चाहता हू। मेरा सुझाव है कि इसेंटिव बोनस का जो आज का रेट है जैसे आज कहते है कि जो तनख्वाह की बढोतरी होगी या डी० ए० बढ़ेगा तो काई भी इसेंटिव बेसिक वेज और डी० ए० से लिंक्ड रहता है आप उस का रेट न भी बढ़ाय तो इसेंटिव की कम बढ़ जायेगी। इसलिए तनख्वाह में और डी० ए० मे जो बढोतरी करेगे उस की वजह से अगर इसेंटिव बोनस का रेट बढ जाता है तो उस को भी काट लेते है। अगर इस तरह की स्कीम होगी तो यह इसेंटिव होगा या डिसइसेंटिव होगा? मै समझता हू यह डिसइसेंटिव होगा। तो इनसेंटिव बोनस पर किसी तरह की कोई कटौती

नहीं होनी चाहिये। जोभी स्कीम लागू हो वह लागू रखी जाय चाहे रेट कुछ रखें लेकिन तनख्वाह बढ़ने वजह से अगर इंसेंटिव बढ़ता हो तो उस में कोई कटौती नहीं होनी चाहिये।

एक तरफ आप यह कहते हैं कि लोगों के हाथ में पैसा कम जाना चाहिये जिस से चीजों का दाम न बढ़े। तो कम से कम पब्लिक और प्राइवेट सैक्टर में जहां मजदूर रिमोट कोनर्स में काम करते है वहां आज उन को खाने को अनाज नही मिलता, कम से कम उन मजदूरो को तो आप ऐश्योर कीजिए कि आप फेयर प्राइस शौप्स से उन को जरूरत की चीजे देगे। नही तो मिल मालिक को आज्ञा दगे कि कम से कम वही दुकाने खोल और जो जरूरी सामान है जीवन के लिये वह फेयर प्राइस शौप्स की मार्फत उन को सप्लाई किया जायगा। इस की गारन्टी होनी चाहिये। इस के अलावा मजदूर कुछ नही मागता। उस को खाना, कपड़ा और रहने की सुविधा दीजिये, चाहे उस की सब तनख्वाह ले लीजिये तो हमें कोई ऐतराज नही होगा।

SHRI P. G. MAVALANKAR

(Ahmedabad): Mr. Chairman, Sir, I rise to register my strong protest against this anti-people, anti-labour, anti-trade Union Bill that has been brought before this House today. Sir, I would like to ask, at the very outset, a fundamental question to the Minister of Finance. He has brought his package through a series of Ordinances Several weeks have passed since the issuance of these Ordinances. I would like to ask him, from the date of issue of these Ordinance, till today, has he been able to arrest the rising prices? Indeed, in the inter vening period, prices have risen further. Therefore, his cure is not producing the result. Now, he says that some time has to be allowed before the results are out. Then, I would ask, what was the hurry of doing it through Ordinances? You could have done it through legislative measures. You do it through Ordinances because you wanted to do the trick and you expected some magical results to follow quickly. But this has not produced the results. Therefore, my feeling is, Government has been totally bankrupt, I repeat this word—Mr. Chavan did not like it when I said the same thing while speaking on the Temparary Restrictions on Dividends Bill—with regard to the solution of the economic problems. Instead of trying to find out who is the main culprit, instead of trying to attack the fundamentals, it only tries to attack those who, in any case, reharassed and tortured. These 18 million people, whom you are going to touch with this kind of Bill, are they going to run away. Could you not have asked them to curb consumption and restrict money supply by saving? Why are you forcing them with this kind of scheme of deposits? The answer is obvious. Because, you know that you cannot touch the people whom you ought to touch. And because, you know that you can jolly well touch these people. Although the workmen are well organised, unfortunately, yet, as my friend Mr. Dandavate rightly warned, they have not yet come to a stage when organised labour outside can have any meaningful pressure on the legislative processes inside this House. That stage has not yet come unfortunately. It will come. It is bound to come. Therefore, I say, this measure is anti-labour. I would quote only a short paragraph from the issue of First August 1974 of the monthly bulletin of the National Labour Organisation, called *"National Labour"* published from Ahmedabad. I quote from the editorial:

> "The whole thinking amounts to be anti-labour. The Ordinance permits annual increments, advance increments, enhanced increments, and promotions. But, a worker who gets an opportunity to earn a wage-rise after four or five years is denied the opportunity and is asked to deposit the amount with the Government."

[Shri P. G. Mavalankar]

Then, Sir, it says further:

> "It is very difficult to expect a minimum wage earner to sacrifice for no fault of his own."

So, the main point is, this Bill of the Government has created not only discontent among the workers; it has created I dare say, a total wrath among the working classes of this country. In the name of national economic development, what this Government has done and is doing is to further play havoc with the already harrassed people belonging to the working class, the lower middle class and the middle class. Government are not helping the labour. They are actually helping to exploit the fixed wage earners and the workers. Government's intention is to immobilise money supply and they say that by this scheme of deposits, they will be able to do it. I would ask the hon. Finance Minister, what a pittance are you going to have by way of deposits? It will be a pittance. After all, how much the workers are going to save? If you ask every worker to save one rupee is it going to be a massive amount for which you want that the workers should sacrifice? It is an insult to the working class and it is an insult to the poorer people. You say that you must not spend an extra rupee because it will amount to unnecessary consumption. But the extra one rupee would only enable him to get one fourth of the food that he needs and if he does not get that extra one rupee or two rupees, by way of dearness allowance etc., how is he going to survive? He will not be able to make both ends meet. He will not be able to do it, even with great difficulty. If he deposits this amount he will not be able to do it at all. Therefore, my charge is, this Congress Government which has been in office for the last several years, has been talking all the time in terms of interest of labour. But all their pro-labour slogans are only vote-catching devices. They think that the labour can be fooled. But, I would say, for the last some years, there has been a tremendous awakening on the part of the workers. They are not going to be fooled now.

This Government's attitude against labour has been recently proved during the railway strike, the Indian Airlines strike earlier and the present Air India pilots' strike. The Governmnt do not want to consult the workers' representatives. They want to rids roughshod over the wishes of the people.

**18 hrs.**

I come from Ahmedabad, the city of textile mills where there are 1,25,000 organised workers. The Majur Mahajan of Ahmedabad and other workers' unions would be ready to cooperate with the Government, but Government have not taken care to invite the suggestions from the trade unions and the working classes. My friend Shri Ram Singh Bhai referred to "SEWA". It does not mean service It means the "Self-Employed Women's Association" of Ahmedabad which was started recently under the auspices of Majur Mahajan. They have come out with their own bank. Thousands of illiterates, wage-earning women have joined it. So if you want workers' participation and cooperation you will get it if only your attitude is prolabour and not anti-labour.

This measure will cause untold hardship to the working classes. It will entail heavy administrative work and unnecessary extra expenditure because 18 million new accounts, man by man, month by month will have to be maintained and it will create more complications. Therefore, in the name of the working class and the ordinary middle class people, I want to register once again my protest against this Bill in as strong a manner as possible. In the name of breaking the vicious circle, Government are only breaking the backbone of the working classes.

**श्रीमती रीवा देशपांडे** (बम्बई मध्य) : सभापति महोदय, इस बिल के बारे में जो तकरीरें हुई हैं, उनको मैंने सुना, सिर्फ़ विरोधी पक्ष की ही नही बल्कि जो रूलिंग पार्टी के मेम्बर्स है उनकी भी। सब यही कहते हैं कि यह ठीक नही है और यह बुरा है और इसका असर बुरा होगा लेकिन रूलिंग पार्टी के सदस्य ऐसा नही कहते कि हम इसका विरोध करेंगे। उनमे हिम्मत नही है। वे यह कहते है कि यह ठीक नही है और इसमे सुधार होना चाहिए। वे यह नही कहते कि हम इसका विरोध करते है और फिर भी कहते है कि हम जनता के साथ है और जनता के साथ रहना चाहते है। वे ये विधेयक लाये है और पहले इन्होंने आर्डीनेन्स निकाला था। आर्डीनेन्स तो तभी आता है जब कि देश मे क्राइसिस आता है, जब भारी आर्थिक संकट हो या कोई दूसरा संकट हो। लेकिन हमारी गवर्वमेंट ने यह आर्डीनेन्स निकाला है **टु पुट बि होल कन्ट्र इनटू कम्पलीट डिसआर्डर**। इस आर्डीनेन्स को निकाल कर किसके ऊपर हमला किया गया है। समाजवाद का मंत्र मुह मे रखते हो और किसके ऊपर हमला किया। गरीब लोगों के ऊपर, मजदूरो के ऊपर, किसानो के ऊपर जिनके लिए आप समाजवाद लाना चाहते है, उन पर इससे हमला किया गया है। क्या यह बिल समाजवाद लाने के लिए मदद कर रहा है? आप ने किसके ऊपर हमला किया है? मजदूरो के ऊपर। यह जेबकतरी का काम आप छोडिये। आपके ब्लैक-मार्केटियर्स इसको करते है और स्मगलर्स इसको करते हैं और आप भी उनका अनुकरण कर रहे है। यह पौकेटमारी का धंधा आप मे क्यो किया? मजदूरो की पौकेट आप मार रहे हैं, उनकी जेब को आप काट रहे है क्योकि आप देख सकते है कि उनकी जेब मे पैसे है जो पैसे काले बाजार वालो के पास पड़े हुए है उनको निकाल लो, लेकिन आप ब्लैक-मार्कटियर्स को नही पकड़ रहे हैं। आज जनता भूखों मर रही है, देश में भुखमरी है और लोगों को अनाज नही मिल रहा है और कीमतें बढ़ती जा रही हैं हद से ज्यादा। आप ने क्या किया। आप ने गेहू का व्यापार पहले अपने हाथ मे लिया, फिर उसको छोड दिया और अब तीसरी बार आप कुछ और सोच रहे है। व्यापारियो ने आप को ठगा है। आप ने कहा कि 50 परसेंट लेवी लेंगे, यह करेंगे, वह करेंगे लेकिन हुआ कुछ नही। आप ने क्या यह सोचा है कि यह जो अनाज है, जीवन की आवश्यकता की वस्तुए है, इनके लिए दुकानें खोले और कीमतो को फ्रीज करे। यह आप ने नही सोचा है लेकिन जिनके कन्धो पर खड़ रह कर आप सोच रहे है कि समाजवाद लायेंगे यह समाजवाद आप लाने नही जा रहे है बल्कि आप भाडवलदारो की आर्थिक नीति को अजमा रहे है और वही नीति का अनुकरण कर रहे है और अगर इस नीति का अनुकरण करके आप समाजवाद का लाने की सोचते है तो वह समाजवाद नही आयेगा बल्कि और कोई 'वाद' आप ले आयेंगे. (**व्यवधान**) अगर आप आर्गेनाइज्ड वर्किंग क्लासेज, संगठित मजदूर वर्ग पर हमला करेंगे, तो इससे देश का भला होने वाला नही है। यही मजदूर है, जो कि आप के देश को बना रहा है आप नही बनायेंगे और न ये काला-बाजारी बनायेंगे और न कैपीटलिस्ट्सों से यह बनने वाला है। हम काम करते है आठ घटा और आठ घटा काम करने के बाद हम कहते है कि अगर ज्यादा तन्ख्वाह हो जाये या महगाई भत्ता थोड़ा सा मिल जाये, तो उसको कटवा दो। कीमतें कम होती नहीं हैं और महगाई बढ़ती जाती है। आप कीमतों को रोकिये तो कोई मजदूर आप के पास डियरनेस एलाउंस मागने के लिए नही आयेगा। हमे मालूम है कि मजदूर के हाथ में जो पैसा आता है तो वह उसको बाजार में फेंक देता है। उसके हाथ मे कुछ नही आता है। राशन शाप्स मे अनाज नही मिलता है और उसका कोई इन्तजाम नही करने वाला है। मजदूरों को जो बढ़ोतरी मिलेगी या डी० ए० मिलेगा, वे कितने लोग हैं। इन दो करोड लोगों के लिए आप इतना कर रहे हैं

[श्रीमती रोजा देशपांडे]

और कह रहे है कि इससे जो देश में आर्थिक संकट आया है, उसको हम रोकने वाले हैं। आप इन मजदूरो के पास जाइए, आप इन किसानो के पास जाइए और आप इस देश की जनता के पास जाइए और उनसे जा कर पूछिये कि उनके पास क्या सुझाव है। वे आप को अच्छी तरह से बता सकते हैं लेकिन आप की यह ब्योरोक्रेसी और आप के जो ये बडे बडे एकेनामिस्ट्स है यह आपको कोई अच्छे सुझाव देने वाले नही है। आप जनता के पास जाइए और उससे जा कर पूछिये। मजदूर वर्ग आपके साथ रहेगा अगर आप उनको कुछ सहायता देने वाले है। अगर आप उनके ऊपर हमला करेंगे, तो याद रखिये यही मजदूर वर्ग आप के साथ लडेगा और यह आर्गेनाइज्ड लेबर आपके खिलाफ लडेगी। हा, प्रोडक्शन को सेबोटेज करने का मजदूर का कोई इरादा नही होता है। क्या आप समझते है कि मजदूर आप के दुश्मन है या काश्तकार इस देश के दुश्मन है? दुश्मन तो और कही है और वे आपको दिखाई नही देते है। यहा पर बडी ट्यूबलाइट्स लगी है और दूसरी जगहे भी लगी है लेकिन हमारे दिमाग की ट्यूबलाइट क्यो नही जलती है। वह अच्छी तरह जलेगी तभी काम ठीक होगा। यह आर्डीनेन्श निकाल कर आप किसके साथ दुश्मनी उठा रहे है। आप दुश्मनी उठा रहे हैं इस देश की जनता से और इस तरह का हमला अगर इस आर्डीनेन्स से हुआ, तो आप यह ध्यान मे रखिये कि ये मजदूर आप के साथ लडेंगे और जैसे कि आप ने रेल कर्मचारियो को कुचल दिया, वैसे आप पूरे देश की जनता को कुचलने लगे, तो आप अपनी इस जिन्दगी में और इस राज्य मे समाजवाद लाने वाले नही हैं इस बिल की क्लाजेज पर जाने की कोई जरूरत नही है। मुझे तो इसमे एक भी क्लाज ऐसी नही दीखती, जो अच्छी हो, सभी बुरी हैं और इसलिए मैं इस पूरे बिल का विरो करती हूं।

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K RAGHU RAMAIAH). Sir, yesterday the Business Advisory Committee considered the business before the House and made a recommendation The report of the Committee was presented to the House this morning The suggestion is that we should sit late and pass this Bill as well as the Compulsory Deposit Scheme (Income-tax Payers) Bill I have made this request to the leaders of the Opposition, most of whom are present here So, I would suggest that the House may sit until both the Bills are passed That is the sense of the House

MR CHAIRMAN Is it the sense of the House that we should sit until both the Bills are passed?

SEVERAL HON MEMBERS Yes

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) Sir I would say that we had a very interesting debate in the sense that many people both on this side and that side also made reasoned speeches and some excitable speeches I should say My main argument is that the entire opposition is based upon certain basic misunderstandings of the proposition that I have brought forward The speech that I heard just now the speech of the hon lady Member, Shrimati Roza Deshpande was a very eloquent speech I heard her first speech and that also in Hindi I must congratulate her on that It was a very good speech

I would say that all the speeches and arguments are based on wrong assumptions This is not a Bill to fight with the working class We on this side of the House can never think in terms of having a fight with the working class We have accepted the working class as a vanguard of this country It is not a struggle with the working class ... (*Interruptions*). We know more about the people than you do We are here because we know the people more intimately than you do

The main point is that there is no question of freezing wages; there is no question of taking away any fundamental right of the working class. Our party has fought for the rights of the working class. It is not these people alone, on that side of the House, who talk in the name of working class.

There is inflation and we are trying to find out how we can fight inflation. We have never taken a position that inflation today is the result of dearness allowance and wages that we pay to the working class. Not at all. The working class is not at all responsible for the price rise and inflation. The working class, the small peasantry, the small farmers, the poor sections are the victims of inflation. The argument is given that dearness allowance is given to neutralise the rise in prices. I agree. But what we have seen in the last three or four years is that the dearness allowance which was meant to perform this task has failed to do so. In fact, it has proved to be a sort of Incentive for further price rise. There is no question of taking away the right of having dearness allowance or the right of having additional wages. Whatever they are entitled to get as a result of their fundamental right of collective bargaining, it is their fundamental right. We stand for it and we will also fight for if it is necessary. It is not a question of fighting with the working class as such.

What we are trying to do is to persuade them, their representatives of the working class sitting on this side also, and we are also trying to find out how we can get over it. I have never said that this is the only way of fighting inflation. Are we merely to watch the prices rising, the increased dearness allowance being given, the increased wages being given, their cancelling out each other and inflation growing further? Are we to just sit back and watch helplessly as leaders of public opinion? Prof. Madhu Dandavate claims to be a leader of the public opinion. As he is a Member here, I do consider him to be a leader of the public opinion. Are we merely going to satisfy ourselves by merely saying that this is what we have said in Parliament and do nothing else?

We have to think about certain package measures. The word package is not a favourite word. It is a word that normally every Government talks about. He has also given some advice about the package deal. I agree with him with the suggestions that he made. But we have to take those steps, one by one

Here, we have merely immobilised 50 per cent of the dearness allowance and the additional wages that are likely to be given. What we have done, really speaking, is a sort of temporary, for the time being, stopping operation. It is a deferred payment with additional rate of interest. This is not only for one class of wage earners. We have also brought it for other class of wage earners, for the dividend earners and we will have to do for other classes also, as we go along. We are also trying to see that the governmental expenditure will have to be reduced. We have also to see that governmental deficit financing is reduced. We have to see and think in terms of bringing about constraints on consumption of certain important and scarce materials like paper, cement and other things. We have also to see that we take away the sluggishness from the productive processes of agriculture and industry. We have to do all these things. For that we need the cooperation of all sections of the people, including the working class. I would request Shrimati Roza Deshpande as the representative of all those who oppose this Bill—because she belongs to the younger generation and naturally we look forward to the younger generation with a little hope —to think in terms of creating a constructive attitude in the working class. If you want them to fight, let us prepare them for fighting inflation. This is one way of fighting inflation and that is what we are trying to do. Merely telling them to fight is not good. I would assure her that we also

[Shri Yashwantrao Chavan]

know something of the working class. They are wise people; they are not unwise. They know where the trouble is. They should be told properly. It is our duty as leaders of public opinion to tell them. I understand the difficulties of my friends, I share their worries and anxieties. You fight for more dearness allowance and get them increased dearness allowance. Take it, for the sake of argument, that this Ordinance is withdrawn. It is not going to be withdrawn But let us take it for the sake of argument. How do you proceed further? Do we allow the money supply as it goes on merrily? It, really speaking, cancels whatever dearness allowance you get them for rise in prices. Let us see We have taken this new step Let us watch this As practical persons, as persons trying to deal with certain situations, we must watch what effect it has. I do not promise any immediate result. We have to watch for a certain time This is not merely a slogan for fighting this or that. We are trying to find out the concrete measures You all accept that it is a serious problem Prof. Dandavate has said that this is one of the worst problems that our country faces, he has said that we have the highest inflation in the world. I agree with him. It is a fact of life. But the point is, how do you fight it. This is one way, we think, we can fight it successfully. Some members asked me what we were doing for more production, what we were doing for unearthing black money. They have repeated the same questions and I have repeated the same arguments once, twice and thrice. I do not want to take more time of the House. (*Interruptions*)

SHRI SHYAMNANDAN MISHRA (Begusarai): What is the result? What is the result in terms of greater production (*Interruptions*).

SHRI YESHWANTRAO CHAVAN: For result, you must wait.

AN HON. MEMBER: For how long?

SHRI YESHWANTRAO CHAVAN: Even for results, you must wait.

MR. CHAIRMAN: At least nine months.

SHRI YESHWANTRAO CHAVAN: This is not a magical lamp that I am carrying or you will be carrying. We are dealing with a very complex economic situation where we have to work on many frints (*Interruptions*)

SHRI SHYAMNANDAN MISHRA: Another Maharashtrian seems to knew your constitution better. He asks us to wait for nine months.

SHRI YESHWANTRAO CHAVAN: After all these years, if you have to understand me, you have only to become a Maharashtrian. I am sorry, I did not expect this from you.

SHRI SHYAMNANDAN MISHRA: You are missing the point.

SHRI YESHWANTRAO CHAVAN: I am only returning the point to you. You ask me, what results we have got. These are all matters which take time. It is not like taking some action in the morning and expecting results in the evening. This is not the position. You have to work continuously for some time. Then alone we can get results. I would say that if you proceed in this way you will get results, but you have neither the patience.... (*An hon. Member: nor the wisdom*) nor are you willing to accept our word for it. Let us understand all the issues which are involved. This is not a fight of the working class. This is a call for cooperation to the working class and I am sure the working class will give that cooperation. Thank you.

MR. CHAIRMAN: There was some point raised about statutory minimum wage. Would you like to say something about it?

SHRI YESHWANTRAO CHAVAN: I have dealt with it.....

MR. CHAIRMAN: If you want you may say when we come to Clause by-clause.

PROF. MADHU DANDAVATE: Regarding the Time Table, the hon. Minister of Parliamentary Affairs said about that. It was expected that this will be over by 5-30 or 6. Unfortunately this time-table was not known to the Members. You will find, the next item is the statutory resolution to be moved by Shri Madhu Limaye, and then Mr. G. P. Yadav's name is there. None of them expected that this will come up. If you make frequent changes in the time-table....

MR. CHAIRMAN: They expected it all right. All these things were decided in the Business Advisory Committee.

PROF. MADHU DANDAVATE If the discussion was over by 5-30 or 6. it was allright. It has taken so long. They are not prepared.

MR. CHAIRMAN: You can arrange. Meanwhile we may send for them .

SHRI PRIYA RANJAN DAS MUNSI (Calcutta South): If you permit me I want to ask one word from the hon. Minister. This is about black money. I will ask if you just permit me for one minute....I want to know one thing.

MR. CHAIRMAN: Why not you do it at the time of the other reading?

SHRI PRIYA RANJAN DAS MUNSI: I was satisfied with the reply of the hon. Minister. I just want only one point. In the other discussion apart from other suggestions, I made a proposal when the Finance Bill was discussed. In our fight to unearth black money and to fight inflation, we have seen that the binami property is acquired in various names. I said that in my suggestions but unfortunately I do not find any reply in the proceedings. I said that any individual who whats to purchase a piece of land or construct a house must get an eligibility partificate. Because, only then, we will know whether he is eligible to do it or not. I wanted him to enquire into the matter. But unfortunately I did not get any satisfactory answer in this regard.

MR. CHAIRMAN: How does it arise now? Order please.

SHRI PRIYA RANJAN DAS MUNSI: You told nine months; you cannot allow even one minute.

**श्री अटल बिहारी वाजपेयी** (ग्वालियर) : सभापति जी, मेरे संकल्प पर और वित्त मंत्री जी के प्रस्ताव पर जो चर्चा हुई है उससे एक बात स्पष्ट हो गई है कि सदन का बहुमत यदि मैं कहूं .....

**श्री राम सहाय पांडेय** : जरूर कह दीजिये।

**श्री अटल बिहारी वाजपेयी** : लगभग सभी सदस्य इस कदम के पक्ष में नहीं हैं। जिन्होंने भाषण दिया है और अंत में इस विधेयक का समर्थन करने का आभास दिया है, उन्होंने भी अपना पूरा भाषण इस कदम की आलोचना में दिया है। इसका निष्कर्ष यह है कि जहां सदन मुद्रास्फीति के कारण उत्पन्न गम्भीर परिस्थिति से समान रूप से चिंतित है वहां सदन को यह भी लगता है कि केवल मजदूरों और कर्मचारियों के अतिरिक्त-वेतन और अतिरिक्त-महंगाई भत्ते को बलात रूप से जमा करने मात्र से समस्या हल नहीं होगी। फिर भी वित्त मंत्री जी ने कहा है कि हम और भी कदम उठा रहे है। अच्छा होता, अगर पूरी तस्वीर सदन के सामने आ जाती।

प्रधान मंत्री जी ने एक नैशनल पालिसी आन प्राइस, वेजेज, प्राफिट्स और इनकम्ज के बारे में उल्लेख किया था, मैं जानना चाहता हूं वह नैशनल और रैशनल-पालिसी कहां है? आखिर वेतन भोगी वर्ग कितना है? 43 फीसदी लोग अपनी रोजी आप कमाते है, 33 फीसदी लोग सम्पत्ति से सम्पत्ति अर्जित करते हैं, अर्थ से अर्थ

[ श्री अटल बिहारी वाजपेयी ]

प्राप्त करते हैं और बाद में उस का अनर्थ करते हैं। अब जो वेतन भोगी वर्ग बचता है, वह करीब 1 करोड़ 80 लाख है....

**डा० कैलाश :** इस का 5 गुना कहिए। 1 करोड 80 लाख को 5 से गुणा कीजिए। अर्थात 43 फीसदी का बड़ा भाग इन लोगों में आ जाता है।

**श्री अटल बिहारी वाजपेयी :** मैं परिवार की बात कह रहा हू। उस संख्या को तो मैं मुसीबत के लिए जोड़ने को तैयार हूं कि इतने लोगों को आप मुसीबत में डाल रहे हैं। लेकिन जहां तक इस कानून का प्रभाव है वह तो वेतन भोगी वर्ग या मजदूरी के द्वारा जीवनयापन करने वाले वर्ग तक सीमित है तो अब बाकी के वर्ग का क्या होगा? कई कांग्रेसी मित्रों ने सुझाव दिया कि सरकार 300 रूपये तक जिन की आमदनी है, कम से कम 300 रूपयों तक छोड दें। मैंने 400 रूपये कहा था, वे 300 की बात करते हैं, मैं 100 रूपये कम करने को तैयार हूं, आप कांग्रेसी सदस्यों के सुझाव को मान लीजिए। 300 रूपये की आज कीमत क्या है, एक परिवार उस में किस तरह से जीवनयापन कर सकता है, लेकिन वित्त मंत्री तो 300 रूपया कमाने वाले को भी छूट देने को तैयार नहीं हैं।

इसी लिये मैंने कहा था कि चपरासी और ज्वाइन्ट सैक्रेटरी दोनों को एक ही तराजू में तोला जा रहा है। क्या यह सामाजिक न्याय की कल्पना के अनुसार है। श्री रामसिंह भाई वर्मा ने यह सुझाव दिया कि आप मजदूरों और कर्मचारियों के लिए निश्चित कीमत पर जरुरत की चीजें उपलब्ध कराने का प्रबन्ध करिये। पब्लिक डिस्ट्रीब्यूशन सिस्टम को मजबूत करने की बात हो रही है, उसके अंश के रुप में यह कदम उठाया जा सकता है, लेकिन वह भी नहीं किया जा रहा है।

सभापति जी, आप जब सदस्य के नाते बोल रहे थे तो आप ने यह बात बड़े बलपूर्वक कही थी कि न तो इस काम से उत्पादन बढ़ने वाला है और न जिन का वेतन और मजदूरी रोक रहे हैं उन पर यह आरोप लगाया जा सकता कि वे बाजार में जा कर पैसा खर्च करते हैं— इस लिए मुद्रास्फिति बढ़ जाती है। वित्त मंत्री जी ने बड़ी चतुरता से ऐसे तर्क जिन का उत्तर नहीं है, अपने भाषण में से छोड़ दिये हैं। उन्होंने श्रीमती रोजा देशपाण्डे को बधाई दे दी। उन्होने कह दिया कि कांग्रेस सदस्यों ने जिन्होंने विरोध में भाषण दिये हैं उन की कठिनाई को वे समझते है। मतलब यह है कि भले ही उन्होंने भाषण दिये हैं लेकिन वित्त मंत्री जी मनाने को तैयार नही है कि उन्होंने ये भाषण दिल से दिये हैं। वे जानते है कि चूंकि ये लोग मजदूर क्षेत्र में काम करते हैं इसलिए उन को ऐसा भाषण देना आवश्यक था।...

**श्री यशवन्तराव चव्हाण :** जैसे आप को देना पडता है।

श्री अटल बिहारी वाजपेयी : अभी कांग्रेस मेम्बरों के बारे में कह रहे थे, अब मेरे बारे में कह रहे है। अगर मेरे बारे में कह रहे हैं तो वही बात अगर मै वित्त मंत्री के बारे में कहू कि सरकार ने एक कदम उठा लिया, भले ही वित्त मंत्री दिल से उस कदम को पसन्द न करते हों लेकिन वे मजबूर हैं इस सदन में खडे हो कर उसका समर्थन करने के लिए तो इसका कोई उत्तर है? (व्यवधान)

अनजान में अनायास इस सरकार ने कम्पलसरी डिपाजिट स्कीम ला कर श्री मोरारजी भाई के प्रति अपनी श्रद्धा का निवेदन कर दिया है। 1963 में जब वित्त मंत्री के रुप में श्री मोरारजी भाई कम्लपसरी कम्पलसरी डिपाजिट स्कीम लाये तब वह प्रतिक्रियावादी थे और आज श्री श्री यशवन्तराव चव्हाण प्रगति वादी है।

**श्री यशवन्तराव चव्हाण :** उस वक्त भी हमने उसको बोट दिया था।

**अटल बिहारी वाजपेयी** : लेकिन हमने उस समय भी विरोध किया था। लेकिन एक अन्तर है। श्री मोरारजी ने ऐसा कदम उठाने से पहले कर्मचारी संगठनों से बातचीत करने की जरूरत समझी थी जो जरूरत वर्तमान वित्त मंत्री ने नहीं समझी। अगर सभी वर्गों को त्याग और बलिदान के लिए प्रेरित करना है तो क्या इनके लिए उनसे पहले सलाह करना जरूरी नहीं था? अगर पार्लियामेन्ट की बैठक के कुछ दिन पहले यह काला अध्यादेश निकालना आवश्यक था, और मुद्रास्फीति का संकट ऐसा संकट है जिसकी तुलना प्रधान मंत्री युद्ध से करती है तो क्या इस संकट पर विजय पाने के लिए देश के हर वर्ग को संघटित करके और मिलजुल कर इस समस्या का समाधान करना आवश्यक नहीं है? मगर कदम टुकड़ों में उठाये जा रहे हैं, कदम इस ढंग से उठाये जा रहे हैं जिनसे कर्मचारियों और मजदूरों को लगता है कि उसके ऊपर चोट थोपी जा रही है। नीतिमत्ता का तकाजा था कि देश में वातावरण बनाया जाता और लोग स्वयं कहते कि इस संकट काल में हम योगदान देने के लिए तैयार है।

मैंने एक सुझाव दिया था और मैं संशोधन के रूप में उस पर बल देने वाला हूं कि आखिर हम कर्मचारियों, मजदूरों को महंगाई भत्ता और अतिरिक्त वेतन जमा करने के लिए कह रहे है मगर मंत्री लोग क्या करेंगे? पार्लियामेन्ट के मेम्बरों का क्या कर्त्तव्य है? राज्य विधान सभा के सदस्यों को भी इसमें अंशदान देने के लिए कहा जायेगा या नहीं? लेकिन यह नहीं कहा जा रहा है।

**श्री राम सहाय पांडेय** : चूंकि बढ़ाई नहीं जा रही है।

**श्री अटल बिहारी वाजपेयी** : तो आप पहले बढ़ावा लीजिए फिर अंशदान कर दीजिए।

आखिर वातावरण कैसे बनेगा? कुछ कांग्रेसी मित्रों ने यह सुझाव दिया कि आप प्राविडेन्ट फंड की दर बढ़ा सकते थे उसमें कर्मचारियों का कट्रीब्यूशन बढ़ जाता है। आप भी यह मानते है कि तीन सौ करोड़ रुपये ब्याज के रूप में इसमें देने पड़ेंगे। तो इसको करने का एक तरीका वह भी हो सकता था। मगर सरकार को सलाह देने के लिए कोई आर्थिक विशेषज्ञों की समिति नहीं है। नौकरशाहों के आधार पर नौकरशाहों के स्तर पर फैसले होते है। वित्त मंत्री यह दावा कर सकते है कि बहुमत उनके साथ है। उन्होंने मेरे मित्र श्री मधु दंडवते को बड़ा मुंहतोड़ जवाब दिया मुझे भी दे सकते है। वह जानते है जनता क्या कहती है, जनता उनके साथ है तभी इतनी बड़ी संख्या में यहां बैठे है, लेकिन अगर जनता कल साथ थी तो यह आवश्यक नहीं है कि आने वाले कल में भी साथ रहेगी। क्षमा कीजिए एक एक सवाल पर जनमत अपने को अलग रूप में प्रकट कर सकता है। क्या यह कम्पलसरी डिपाजिट स्कीम जिस पर लागू होने वाला है या सारे समाज की बात ले लीजिए---क्या सरकार इस पर रफरेंडम के लिए तैयार है? क्या आप लोगों का बहुमत प्राप्त करके दिखा सकते हैं?

**श्री राम सहाय पांडेय**. 1976 में।

**श्री अटल बिहारी वाजपेयी** : मैं चुनाव की चर्चा नहीं करना चाहता।

मेरा अभी भी निवेदन है कि इसमें कुछ संशोधन है वित्त मंत्री महोदय स्वीकार करें। कांग्रेस मेम्बर का सुझाव मान लें। मेरे मित्र स्टीफेन ने संशोधन दिया है कि 3 सौ रुपये तक छोड़ दिया जाना चाहिए मैं उसको स्वीकार करने के लिए तैयार हूं। आप श्रेय कांग्रेस वालों को ही दे दीजिए, हमें नहीं चाहिए। मजदूरों में कर्मचारियों में उनकी वाहवाही हो जायेगी हमें शिकायत

[श्री अटल बिहारी वाजपेयी]

नहीं है। हम तो केवल कर्मचारियों को बचाना चाहते हैं वाहवाही नहीं लूटना चाहते हैं। में उनके संशोधन को स्वीकार कराने की जबात कर रहा हूं लेकिन वित्त मंत्री इसको करने के लिए तैयार नहीं हैं। वित्त मंत्री का तर्क यह है कि अगर लोगों को छोड़ना शुरू कर देंगे तो इसमें कोई बचेगा भी नहीं। लेकिन क्या मजदूरो और कर्मचारियों को पकड़ना ही काफ़ी है? में कहता हूं पूरा कैनेज कहां है? मुद्रास्फीति से लड़ने के के लिए कौन से कदम उठाये जाने वाले हैं? काले धन के बारे में वित्त मंत्री ने कहा विरोधी दल जिन तर्कों को दोहरा रहा है में भी उन्हीं तर्कों को दोहराऊंगा। कालाधन चलता रहेगा उससे चुनाव लड़ा जाता रहेगा, राजनीति दूषित होती रहेगी देश का वातावरण बिगड़ता रहेगा और मुद्रास्फीति के संकट से लड़ने के लिए जनता का जो मनोबल जगाने का काम है वह नहीं होगा। हम कोई धमकी नहीं देना चाहते हैं लेकिन अगर कर्मचारियों के जीवनस्तर पर हमला होगा तो कर्मचारी अपनी प्रतिक्रिया प्रकट करेंगे। में मानता हूं वह प्रतिक्रिया शांतिपूर्ण होनी चाहिए, वह प्रतिक्रिया उत्पादन में किसी तरह की बाधा पैदा करने वाली नहीं होनी जाहिए।

**श्री मधु लिमये**: ऐसा क्यों?

**श्री राम सहाय पांडेय**: पहले आपस मे तय कर लीजिए।

**श्री अटल बिहारी वाजपेयी**: आपने और राजा कुलकर्णी ने बहुत सी बातें तय नही की हैं, यह छोड़िये।

अगर सरकार कीमतों का बढ़ना नहीं रोक सकी और समस्या यह है कि मजदूरी बढ़ाना परिणाम हैं कारण नही है मजदूरी में वृद्धि नतीजा है उसका बीज नहीं है और अगर महंगाई जिस तरह से बढ़ रही है उसी तरह से बढ़ती गई तो फिर यह कदम आपके काम नहीं देंगे, देश में ऐसी उथल-पुथल होगी जिस पर काबू पाना सरकार के लिए सम्भव नहीं होगा।

एक बात और कह कर समाप्त करना चाहता हूं। कुछ अर्थ-शास्त्री कह रहे हैं, वित्त मंत्री उसका स्पष्टीकरण करें तो अच्छा है। अर्थ-शास्त्रियों का कहना है: "less than one per cent of the stock of money".

केवल यही मोबिलाइज होगा। और इतना पर्याप्त नहीं है। अगर यह पर्याप्त नहीं होगा, अगर इससे असंतोष उत्पन्न होने वाला है तो मैं समझता हूं यह कदम सरकार के लिए महंगा पड़ने वाला है। अभी समय है वितमंत्री उचित संशोधन स्वीकार करके इस बुरी योजना को कम बुरी बना सकते हैं। हम देखें कि क्लास बाई क्लास कंसीक्वेंशस पर इसकी प्रतिक्रिया क्या होती है। जहां तक मजदूर और कर्मचारियों का सवाल है वे इस कदम से बहुत असंतुष्ट हैं क्रुद्ध हैं वे इसका विरोध करने की तैयारी कर रहे हैं। मैं चाहता हूं कि वित्त मंत्री उनकी भावना समझे। सरकार टुकड़ों म फैसला करने के बजाये एक समन्वित नीति ले कर देश के सामने उपस्थित हो जिसके आधार पर इसमें संकट से लड़ा जा सके क्योंकि टुकड़ों म लड़ाई हारी जायेगी जीती नहीं जायेगी।

**श्री मधु लिमये**: सभापति महोदय, मैंने नियम 109 के तहत इस प्रस्ताव पर जो बहस चल रही है उसे स्थगित करने का प्रस्ताव किया है। इसके में संक्षेप में कुछ कारण बताऊंगा। में कोई लम्बा भाषण नहीं करूंगा। पहला कारण तो यह है कि साधारण तौर पर आपके नियमों के अनुसार जो निर्धारित समय होता है उस

समय के बाद सभा को चलने नहीं देना चाहिए। 6 बज चुके हैं, मैंने इन्तजार किया, मैं श्री अटल बिहारी वाजपेयी के भाषण में व्यवधान उत्पन्न नहीं करना चाहता था इसलिए मैं रुका रहा। तो एक मेरा कारण यह है कि 6 बजे के बाद इस बहस को चालू रखना सदस्यों के ऊपर बड़ा अन्याय है।

आप आइटम 9 देखिए। उस में यह है कि श्री रघुरमैया बिजनेस ऐडवाइजरी कमेटी की 47वी रिपोर्ट प्रेजेण्ट करेंगे। इस रिपोर्ट को सदन के सामने रखने के बाद दूसरे दिन स्वीकृति के लिए उस को रखा जाता है एक प्रस्ताव के रूप में। अभी तक इस रिपोर्ट पर स्वीकृति सदन की नहीं ली गई है। यह दूसरा कारण है।

और तीसरा कारण यह है कि अभी में राज्य सभा की गैलरी में गया वहां हमारे 21 सदस्यों के आचरण पर और व्यवहार पर गम्भीर बहस चल रही है। तो इस के ऊपर मुझे आपत्ति है। जब बहस सदन के सदस्यों के आचरण का मामला उठेगा तो उसकी चर्चा इस लोक सभा में होनी चाहिए या राज्य सभा में उसकी चर्चा होनी चाहिए? इसलिए में समझता हूं कि इस बहस को स्थगित किया जाय और उस अवलम्बनीय लोक महत्व के प्रश्न पर चर्चा सदन में की जाय। अभी राज्य सभा में मैंने सुना कि 21 सदस्यों के हस्ताक्षर से एक लाईसेंस के लिए रिप्रजेन्टेशन दिया गया है। लाईसेन्स पाने वाले पांडिचेरी के व्यक्ति हैं।

**सभापति महोदय**: आप 109 तक ही सीमित रहें।

**श्री मधु लिमये**: 21 में से 18 सदस्यों ने कहा कि हमारे हस्ताक्षर जाली थे। तीन सदस्यो का कोई जवाब नहीं आया। तो ऐसी हालत में इस पर बहस स्थगित करके और कुछ बैठना ही है तो इस अविलम्बनीय लोक महत्व के प्रश्न पर बहस करने के लिए 10, 15 मिनट दिये जाय।

**श्री अटल बिहारी वाजपेयी**: सभापति जी यह मामला उठा है। लोक सभा के कुछ सदस्यों के ऊपर दूसरे सदन में आक्षेप लगाये गये हैं वह आक्षेप कल समाचार-पत्रों में छपने वाले है। यह सदन और इस के सदस्य कल आम जनता की चर्चा का विषय बनने वाले हैं। यह जो नाम है यह कल प्रकाशित होगे। मेरा कहना यह है कि अखबारों में वह चीज जाय और सारा सदन जनता की नजर में गिरे यह ठीक नही है। इसलिए इस सम्बन्ध मे स्पष्टीकरण होना चाहिए।

SHRI MADHU LIMAYE: How can Prof. Chattopadhyaya make any statement in the other House about the conduct of our members?

MR. CHAIRMAN: The first point is: let us not side track the issue.

**श्री मधु लिमये**: एक तो देर हो गई, दूसरे माननीय रघुरमैया की रिपोर्ट स्वीकृत नहीं की गई और तीसरे वह लाईसेन्स आवेदन-पत्र और दस्तखतों का महत्वपूर्ण मामला जो राज्य सभा में चल रहा है।....

MR. CHAIRMAN. Let us not side track the issue. The issue before us just now is whether under rule 109, we should adjourn the proceedings at this stage. On this—I do not know whether you were present here earlier—this day itself on Shri Banerjee's motion, the House has negatived it. Under rule 338, a motion shall not raise a question substantially identical with one on which the House has given a decision in the same session. This is the same day also.

**श्री मधु लिमये**: सब्सटेंशियली सेम नही है।

MR. CHAIRMAN: Substantially the same; technically it may not be.

था रेलवे बोर्ड के पास ? क्या कोई नोटिस दिया गया था ? रात की तारीकी में इस को बाहर फिकवाया जा सकता है तो यहां नोटिस की क्या जरूरत है ? वैगेंज से सामान नहीं उतारा जा रहा है या रेलवे प्रैमिजिज में सामान पड़ा हुआ है तो उसके लिए नोटिस की क्या जरूरत है । यह काम तो दिन के उजाले में भी आप कर सकते हैं । जब रेलवे प्रोटैक्शन फोर्स के लोगों को रेल कर्मचारियों से निपटने के लिए कहा गया था हड़ताल के दौरान तो वे उनके सामने लाल पीली आंखें करके जाते थे, उनको डराते धमकाते थे लेकिन वही पुलिस वाले जब सरमायेदारों के सामने जाते हैं तो उनका सारा गुस्सा सलाम में बदल जाता है । ऐसा क्यों है ? मैं चाहूंगा कि कुछ व्यापारियों को पकड़ कर बाकायदा हथकड़ी लगाई जाए और उनको सड़कों पर घुमाया जाए और घुमाने के बाद जेल भेज दिया जाए । जब तक ये जेल में नहीं जाएंगे, जेल की रोटी नहीं खाएंगे, सी क्लास में इनको रखा नहीं जाएगा, मैं आपको यकीन दिलाता हूं कि कुछ नहीं होगा । आपने फाइन किया तो उससे कुछ नहीं होगा । फाइन वे दे देंगे । यह जो मिली भगत है इसकी इनक्वायरी अगर आप करा सकते हैं तो पार्लियामेंट्री कमेटी से करवाएं या कुरेशी साहब जिन जिन सोर्सेज से, इंटैलीजैंस से इनवैस्टीगेशन करवा सकते हों तो उन से क्या करवाने के लिए तैयार हैं ताकि तमाम चीजें सामने आ सकें ?

जिन लोगों ने हीहोंडिंग कम्पेन में भाग लिया था बजाय इसके कि उनको इसके लिए बधाई दी जाती, उनकी प्रशंसा की जाती, उनको गिरफ्तार किया गया । मैं जानना चाहता हूं कि क्या उनको छोड़ा जाएगा ?

**13.00 hrs.**

एक बात और अगर इस काम में, जो माल जमा हो गया है उसको निकालने में जल्दी नहीं की गई, एकदम जल्दी नहीं लिया गया, तो हमारे जो लोग गिरफ्तार हुए हैं उनको छोड़ा जाए या न छोड़ा जाए, हमारी जो मुहिम है इसको हम फिर शुरू करेंगे, होर्डिंग के खिलाफ आन्दोलन करेंगे और मैं आशा करता हूं कि हमें आपका समर्थन प्राप्त होगा । नगर सेठ और नौकरशाह इनकी जो साजिश है उसके खिलाफ हम लोगों को उठना पड़ेगा और उसके खिलाफ मोर्चा लेना पड़ेगा, फिर चाहे उसके नतीजे कुछ भी हों ।

क्या आप कमेटी का निर्माण करेंगे ताकि इनवैस्टीगेशन पूरा-पूरा हो ?

**श्री मुहम्मद शफ़ी कुरेशी :** ज्यादातर इन्होंने तजवीजें ही रखी हैं । उन पर ज्यादातर अमल भी किया गया है । रेलवे का जो मौजूदा नियम है उस में कनफिसकेशन की हमारे पास ताकत नहीं । लेकिन अब हमने फैसला किया है जो जो एसेंशियल कमोडिटीज हैं पब्लिक कंजम्पशन की वे सात दिन के अन्दर अन्दर क्लीयर नहीं होंगी तो स्टेट गवर्नमेंट्स को इत्तिला दी जा रही है डायरेक्टर सिविल सप्लाइज को इत्तिला दी जा रही है कि वे चाहे उसको कनफिसकेट करें और अगर ऐसा वे नहीं कर सकते हैं तो जैसे कहा है सुपर बाजार या कोआपरेटिव सोसाइटीज को ये चीजें बेचने के लिए दे दी जाएं ।

जहां तक व्यापारियों को पकड़ने का या मुंह काला करके घुमाने का सवाल है स्टेट गवर्नमेंट्स ही ज्यादा इस पर अमल कर सकती हैं । हम तो फुलेस्ट कोआपरेशन स्टेट गवर्नमेंट्स को दे सकते हैं.....

**श्री एस० एम० बनर्जी :** दिल्ली में तो आप करिये ।

**श्री मुहम्मद शफ़ी कुरेशी :** स्टेट गवर्नमेंट्स को बाकायदा इसकी इत्तिला दी है ।

Pradhan, Shri Dhan Shah
Reddy, Shri B. N.
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sambhali, Shri Ishaque
Sen, Dr. Ranen
Shakya Shri Maha Deepak Singh
Vajpayee, Shri Atal Bihari.

NOES

Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Arvind Netam, Shri
Babunath Singh, Shri
Banamali Babu, Shri
Banerjee Shrimati Mukul
Barupal, Shri Panna Lal
Basappa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhattacharyyia Shri Chapalendu
Bhuvarahan, Shri G.
Bist, Shri Narendra Singh
Chandrakar, Shri Chandulal
Chandrashekarappa Veerabasappa, Shri T. V.
Chandrika Prasad, Shri
Chaudhary, Shri Nitiraj Singh
Chavan, Shri Yeshwantrao
Chhotey Lal, Shri
Chhutten Lal, Shri
Chikkalingaiah, Shri K.
Dalbir Singh, Shri
Dalip Singh, Shri
Darbara Singh, Shri
Desai, Shri D. D.
Deshmukh, Shri Shivaji Rao S.
Dhamankar, Shri
Dharamgaj Singh, Shri
Dixit, Shri G. C.
Doda, Shri Hiralal
Dube, Shri J. P.
Dumada, Shri L. K.
Engti, Shri Biren
Ganesh, Shri K. R.
Ganga Devi, Shrimati
Gangadeb, Shri P.
Garcha, Shri Devinder Singh
Gavit, Shri T. H.
Gill, Shri Mohinder Singh
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Ishaque, Shri A. K. M.
Jadeja Shri D. P.
Jagjivan Ram, Shri
Jamilurrahman, Shri Md.
Jitendra Prasad, Shri
Kadam Shri J. G.
Kailas, Dr.
Kakodkar, Shri Purushottam
Kamakshaiah, Shri D.
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Kulkarni, Shri Raja
Lakshmikanthamma, Shrimati T.
Mahata, Shri Debendra Nath
Majhi, Shri Gajadhar
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Manhar, Shri Bhagatram
Mirdha, Shri Nathu Ram
Mishra, Shri Jagannath
Mohammad Yusuf, Shri

Mohapatra Shri Shyam Sunder
Mohsin, Shri F. H.
Murmu, Shri Yogesh Chandra
Naik, Shri B. V.
Negi, Shri Pratap Singh
Nimbalkar, Shri
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Palodkar Shri Manikrao
Pandey, Shri Damodar
Pandey, Shri Narsingh Narain
Pandey, Shri R. S.
Pant, Shri K. C.
Partap Singh, Shri
Paswan, Shri Ram Bhagat
Patel, Shri Natwarlal
Patil, Shri E. V. Vikhe
Patil, Shri Krishnarao
Patil, Shri S. B.
Patil, Shri T. A.
Patnaik Shri J. B.
Peje, Shri S. L.
Purty, Shri M. S.
Qureshi, Shri Mohd. Shafi
Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Raju, Shri P. V. G.
Ram, Shri Tulmohan
Ram Prakash, Shri
Ram Singh Bhai, Shri
Ram Surat Prasad, Shri
Ram Swarup, Shri
Rao, Shrimati B. Radhabhai A.
Rao, Shri Jagannath
Rao, Shri M. S. Sanjeevi
Rao, Shri P. Ankineedu Prasada
Rathia, Shri Umed Singh
Raut, Shri Bhola
Ravi, Shri Vayalar
Ray, Shrimati Maya
Reddy, Shri K. Ramakrishna
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Narasimha
Reddy, Shri Sidram
Richhariyya Dr. Govind Das
Rohatgi, Shrimati Sushila
Roy, Shri Bishwanath
Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sankata Prasad, Dr.
Sarkar, Shri Sakti Kumar
Satish Chandra, Shri
Satpathy Shri Devendra
Sethi, Shri Arjun
Shahnawaz Khan, Shri
Shambhu Nath, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Shri Nawal Kishore
Shashi Bhushan, Shri
Shastri, Shri Sheopujan
Shenoy, Shri P. R.
Sher Singh, Prof.
Shetty, Shri K. K.
Shivappa, Shri N.
Shivnath Singh, Shri
Shukla, Shri B. R.
Sinha, Shri Nawal Kishore
Sinha, Shri R. K.
Stephen, Shri C. M.
Sudarsanam, Shri M.
Sunder Lal, Shri
Suryanarayana, Shri K.
Swamy, Shri Sidrameshwar
Uikey, Shri M. G.
Venkatasubbaiah, Shri P.
Venkatswamy Shri G.
Verma, Shri Balgovind
Vikal, Shri Ram Chandra
Virbhadra Singh, Shri
Yadav, Shri D. P.
Yadav, Shri N. P.
Yadav, Shri R. P.

MR CHAIRMAN: The result* of the division is Ayes 36; Noes 160.

*The motion was negatived*

MR. CHAIRMAN: Now I will put Mr. Chavan's motion for taking the Bill into consideration.

MR CHAIRMAN: The question is:

"That the Bill to provide, in the interests of national economic development, for the compulsory deposit of additional emoluments and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto, be taken into consideration."

*The Lok Sabha divided:*

**Division No. 14]**

**19 hrs.**

AYES

Agrawal, Shri Shrikrishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ansari, Shri Ziaur Rahman
Arvind Netam, Shri
Azad, Shri Bhagwat Jha
Bahunath Singh, Shri
Bade, Shri R. V.
Banamali Babu, Shri
Banerjee Shrimati Mukul
Barupal, Shri Panna Lal
Bassppa, Shri K.
Basumatari, Shri D.
Besra, Shri S. C.
Bhatia, Shri Raghunandan Lal
Bhattacharyyia, Shri Chapalendu
Bhuvarahan, Shri G
Bist, Shri Narendra Singh
Chandrakar, Shri Chandulal
Chandrashekharappa Veerabasappa. Shri T. V.
Chandrika Prasad, Shri
Chaudhary, Shri Nitiraj Singh
Chavan, Shri Yeshwantrao
Chhotey Lal, Shri
Chhutten Lal, Shri
Chikkalingaiah, Shri K.
Dalbir Singh, Shri
Dalip Singh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Desai, Shri D. D.
Deshmukh, Shri Shivaji Rao S.
Dhamankar, Shri
Dharamgaj Singh, Shri
Dixit, Shri G. C.
Doda, Shri Hiralal
Dube, Shri J. P.
Dumada, Shri L. K.
Engti, Shri Biren
Ganesh, Shri K R.
Ganga Devi, Shrimati
Gangadeb, Shri P.
Garcha, Shri Devinder Singh
Gavit, Shri T. H.
Gill, Shri Mohinder Singh
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Hari Kishore Singh, Shri
Ishaque, Shri A. K. M.
Jadeja, Shri D. P.
Jagjivan Ram, Shri
Jamilurrahman, Shri Md.
Jha, Shri Chiranjib
Jitendra Prasad, Shri
Joshi, Shri Popatlal M.

*The following Members also recorded their votes for NOES.

Sarvashri Biswanarayan Shastri, G. S. Mishra and Chiranjib Jha.

Kadam, Shri J. G.
Kailas, Dr.
Kakodkar, Shri Purushottam
Kamakshaiah, Shri D.
Kamble, Shri T. D.
Kamla Kumari, Kumari
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Kulkarni, Shri Raja
Lakshmikanthamma Shrimati T.
Mahata, Shri Debendra Nath
Majhi, Shri Gajadhar
Malaviya, Shri K. D.
Mandal, Shri Jagdish Narain
Manhar, Shri Bhagatram
Mirdham, Shri Nathu Ram
Mishra, Shri Bighuti
Mishra, Shri G. S.
Mishra, Shri Jagannath
Mohammad Yusuf, Shri
Mohapatra, Shri Shyam Sunder
Mohsin, Shri F. H.
Murmu, Shri Yogesh Chandra
Naik, Shri B. V.
Negi, Shri Pratap Singh
Nimbalkar, Shri
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Palodkar, Shri Manikrao
Pandey, Shri Damodar
Pandey, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandey, Shri R. S.
Pant, Shri K. C.
Partap Singh, Shri
Paswan Shri Ram Bhagat
Patel, Shri Natwarlal
Patil, Shri E. V. Vikhe
Patil, Shri Krishnarao
Patil, Shri S. B.
Patil, Shri T. A.
Patnaik, Shri J. B.
Peje, Shri S. L.
Purty, Shri M. S.
Qureshi, Shri Mohd. Shafi
Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Raju, Shri P. V. G.
Ram, Shri Tulmohan
Ram Dhan, Shri
Ram Prakash, Shri
Ram Singh Bhai, Shri
Ram Surat Prasad, Shri
Ram Swarup, Shri
Rao, Shrimati B Radhabai A.
Rao, Shri Jagannath
Rao, Shri M S Sanjeevi
Rao, Shri Nageswara
Rao, Shri P. Ankineedu Prasada
Rathia, Shri Umed Singh
Raut, Shri Bhola
Ravi, Shri Vayalar
Ray, Shrimati Maya
Reddy, Shri K. Ramakrishna
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Narasimha
Reddy Shri Sidram
Richhariya, Dr. Govind Das
Rohatgi, Shrimati Sushila
Roy, Shri Bishwanath
Rudra Pratap Singh, Shri
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sankata Prasad Dr.
Sarkar, Shri Sakti Kumar
Satish Chandra, Shri
Satpathy, Shri Devendra
Savant, Shri Shankerrao
Sethi, Shri Arjun
Shahnawaz Khan, Shri

Shambhu Nath, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Shri Nawal Kishore
Shashi Bhushan, Shri
Shastri Shri Biswanarayan
Shastri, Shri Sheopujan
Shenoy, Shri P. R.
Sher Singh, Prof.
Shetty, Shri K. K.
Shivappa, Shri N.
Shivnath Singh, Shri
Shukla, Shri B. R.
Siddheshwar Prasad, Shri
Sinha, Shri Dharam Bir
Sinha, Shri R. K.
Stephen, Shri C. M.
Sudarsanam Shri M.
Sunder Lal ,Shri
Suryanarayana, Shri K.
Swamy, Shri Sidrameshwar
Uikey, Shri M. G.
Venkatasubbaiah, Shri P.
Venkatswamy, Shri G.
Verma Shri Balgovind
Verma, Shri Sukhdeo Prasad
Vikal, Shri Ram Chandra
Virbhadra Singh, Shri
Yadav, Shri D. P.
Yadav, Shri N. P.
Yadav, Shri R. P.

NOES

Banera, Shri Hamendra Singh
Banerjee Shri S. M.
Bhagirath Bhanwar, Shri
Bhattacharyya, Shri Jagdish
Bhattacharyya, Shri S. P.
Bhaura, Shri B. S.
Brahman, Shri Rattanlal
Chandra Shekhar Singh, Shri
Chowhan, Shri Bharat Singh
Dandavate Prof. Madhu
Deshpande, Shrmati Roza
Goswami, Shrimati Bibha Ghosh
Haider, Shri Krishna Chandra
Huda Shri Noorul
Joarder, Shri Dinesh
Joshi, Shri Jagannathrao
Kachwai, Shri Hukam Chand
Kathamuth, Shri M.
Krishnan, Shrimati Parvathi
Limaye, Shri Madhu
Mavalankar, Shri P. G.
Mehta Shri P. M.
Modak, Shri Bijoy
Mohammad Ismail, Shri
Pradhan, Shri Dhan Shah
Reddy Shri B. N.
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Shahstri, Gadadhar
Sambhali Shri Ishaque
Sen, Dr. Ranen
Vajpayee, Shri Atal Bihari

MR. CHAIRMAN: The result of the divisions : Ayes 175; Noes 32.

*The motion was adopted.*

*Clause 2—(Definitions.)*

MR. CHAIRMAN: We will now take up clause by clause consideration. There are some amendments to *clause* 2. They may be moved.

SHRI C. M. STEPHEN: I beg to move:

*The following Members also recorded their votes:
AYES: Sarvashri Dharnidhar Das and Appalanaidu;
NOES: Shri R. P. Das.

Page 2,—

*after* line 41, *insert*—

"(v) any increase in wages consequent on the revision of the minimum rates of wages fixed under the Minimum Wages Act, 1948;" (107).

Page 2, line 42,—

*for* "(v)" *substitute* "(vi)" (108).

Page 2, line 5,—

add at the end—

",but does not include any additional dearness allowance payable as part of minimum wages fixed under the Minimum Wages Act, 1948." (112).

SHRI RAM SINGH BHAI: I beg to move:

Page 2, line 41,—

*add* at the end—

"or additional workload" (50).

SHRI YESHWANTRAO CHAVAN: I beg to move:

Page 2, line 17,—

*after* "over" *insert* "and above" (52).

Page 3, line 25,—

*for* "the" *substitute* "an" (53).

Page 3,—

*for* lines 49 and 50, *substitute*—

"name, such person; and includes, in the case of a deceased employer, the legal representative of such deceased employer;" (54).

Page 4, line 11,—

*for* "made" *substitute* "framed" (55).

SHRIMATI PARVATHI KRISHNAN: I beg to move:

Page 3,—

*omit* lines 10 to 14. (63).

Page 4, line 27,—

*omit* ", including bonus," (64).

SHRI RAJA KULKARNI: I beg to move:*

Page 2,—

*for* lines 1 to 5,, *substitute*—

'(b) "additional dearness allowance" means such amount of dearness allowance as is earned as a result of a rate of neutralisation of the cost of living, higher than the corresponding rate prevailing prior to the appointed date.' (94).

Page 2,—

*after* line 47, *insert*—

"(bb) by any agreement/settlement entered into before the appointed day and providing for application of the appropriate scales of pay recommended by Third Central Pay Commission;

(bbb) by any agreement/settlement arrived at before the appointed date and submitted to the Government for approval or to Industrial Tribunal for making award and under which the date of benefit-payment falls after the appointed date." (95)

Page 4, line 22,—

*add* at the end—

"given or made after the appointed date" (97).

Page 4, line 28,—

*omit* "or otherwise" (98)

Page 4,—

*omit* lines 29 to 31 (99).

*Amendments moved with the recommendation of the President.

Page 4,—

*omit* lines 32 to 35. (100)

Page 5, line 6,—

*add* at the end—

"including the portion merged into basic wages" (101).

SHRI YESHWANTRAO CHAVAN: I beg to move:

Page 3, line 7,—

*for* "on the appointed day", *substitute.*

"immediately before the appointed day". (103).

SHRI P. M. MEHTA: I beg to move:

Page 2,—

*after* line 41, *insert*—

"(iva) any *ad-hoc* increase in the pay of the employees without any time scale on the basis of negotiations between the employees and employer.

(ivaa) any *ad-hoc* increase in pay to the casual workers and work-charged employees on the basis of negotiations between the employees and employer or otherwise." (113)

SHRI ATAL BIHARI VAJPAYEE: I beg to move:

Page 3,—

*after* line 14, *insert*—

(vi) any amount payable to an employee as bonus as a result of increased profits or formulae linked with profits;

(vii) any *ex-gratia* payment stemming from a term or condition of employment arrived at between labour and management;

(viii) any advance or loan at the time of festivals or any other occasion of dire necessity to the employee; and

(ix) any amount related in any way to a period before the appointed day;" (118).

Page 3, line 27,—

*add* at the end—

"and all kinds of allowances and salaries given to Central and State Ministers, Members of Parliament, Members of Legislative Assemblies and Councils" (119).

19 hrs.

SHRI C. M. STEPHEN: My amendment Nos. 107 and 108 are an amendment to the definition of the word "additional wages". I have sought that any increase in wages consequent on the revision of minimum rates of wages fixed under the Minimum Wages Act, 1948 must be excluded from the definition That is to say, the wage shall not include this.

Amendment No. 112 is a related amendment, namely, any increase of dearness allowance as a part of the minimum wage fixed under the Minimum Wages Act should be excluded. These are part of the same thing, dearness allowance and additional wages.

The gist of my amendments is that the wages fixed under the minimum wages Act, the two parts they have, that is, dearness allowance and wages, must be excluded and there must be no compulsion for the deposit of that amount. That is what I am pleading for.

One submission more. The Government, when they promulgated this Ordinance, issued a press-note and there they made a commitment that the lowest paid workers will be exempted from the liability to deposit. I request the Government to stand by the commitment. What is the definition of the lowest paid worker? This country does not know anything lower than the minimum

[Shri D. K. Borooah]

wages fixed under the Minimum Wages Act. Those workers must be exempted. Otherwise, it will be a very callous thing. It must be for protecting those workers that this law must operate. Therefore, I am moving these amendments. This is the gist of my amendments.

श्री अटल बिहारी वाजपेयी : सभापति जी मैंने इस धारा में दो संशोधनों को पेश करने की अनुमति चाही है । पहले संशोधन 118 द्वारा मैं यह चाहता हूं :

"Page 3,

*after* line 14, *insert*—

(vi) any amount payable to an employee as bonus as a result of increased profits or formulae linked with profits;

(vii) any *ex-gratia* payment steming from a term or condition of employment arrived at between labour and management;

(viii) any advance or loan at the time of festivals or any other occasion of dire necessity to the employee; and

(ix) any amount related in any way to a period before the appointed day;"

अब अगर मुनाफा अधिक होता है कर्मचारियों को उस का लाभ मिलता है बोनस के रूप में तो मेरी मांग है कि उसे इस कानून की धारा से मुक्त रखना चाहिए । इसी प्रकार अगर मजदूरों और मालिकों के बीच में समझौते के परिणामस्वरूप कोई वृद्धि होती है तो उसे सरकार को नहीं हड़पना चाहिए । पूजा के अवसर पर अनेक प्रदेशों में विशेष कर पश्चिमी बंगाल , आसाम और उड़ीसा में कर्मचारियों को कर्जा दिया जाता है या कभी आवश्यकता पड़ने पर और सहायता दी जाती है वह इस में शामिल न की जाय । इस बात का हमें ध्यान रखना होगा और 6 जुलाई से पहले जो भी समझौते हो गए हैं या कर्मचारियों और मजदूरों को लाभ मिलने वाला है उस को इस की परिधि में नहीं लाया जाना चाहिए ।

मैं 119 वां संशोधन भी प्रस्तुत करदूं । उस के द्वारा मैंने यह मांग की है कि :

"and all kinds of allowances and salaries given to Central and State Ministers, Members of Parliament, Members of Legislative Assemblies and Councils."

इन को भी इस कानून की परिधि में लाना चाहिए । दोनों संशोधन बहुत ही उपयुक्त हैं। वित्त मंत्री महोदय अगर कोई उपयुक्त संशोधन मानना चाहते हैं तो मेरे संशोधन मान सकते हैं ।

SHRI P. M. MEHTA: My amendment No. 113 reads as follows:—

"Page 2,

*after* line 41, *insert*—

'(iva) any *ad hoc* increase in the pay the employees without any time scale on the basis of negotiations between the employees and employer.

(ivaa) any *ad hoc* increase in pay to the casual workers and work-charged employees on the basis of negotiations between the employees and employer or otherwise'."

By clause 2(c), time scale employees and other categories of employees are exeluded from the purview of this provision. This has created an anomaly. For instance, if an employee getting Rs. 1000 in a time scale gets his annual increment of Rs. 25 or Rs. 50, that increment will not be considered as an additional wage and will not be impounded. But if an employee getting a salary of Rs. 300 or Rs. 350 is given a rise of Rs. 15 after negotiations, that will be considered as an additional wage and will be impounded. An employee drawing Rs. 1000 a month

and getting his regular annual increment of Rs. 50 or so, will be protected. It is good that he is protected. But if an employee drawing a salary of Rs. 300 or Rs. 350 a month gets a rise of Rs. 15 as an annual increment after four or five rounds of negotiations, that increment will be considered as an additional wage and will be impounded. This anomaly should be removed. Any *ad hoc* increase, obtained after negotiations, in the pay of low-paid employees should not be impounded under the provision of this Bill. In the same way, any *ad hoc* increase in pay to the casual workers or workcharged employees or substitutes, who are low paid employees, and who get that increase by virtue of negotiations—it may be of the order of Rs. 5 or 10—will be impounded under the provision of this Bill. This is a gross injustice to the employees who have no time-scale, this is a gross injustice to the casual workers and workcharged employees. Therefore, I hope, the Minister will accept my amendment and remove this anomaly.

SHRIMATI PARVATHI KRISHNAN: My amendment is for deletion of explanation with regard to bonus. Regarding this point I will not take more time of the House. Because the point about Bonus has been discussed when the discussion on the Bill was there. The questions of production and incentive bonus have arisen many times and the workers arrive at collective agreements. On those agreements being arrived at, these are agreed to. You also want industrial production to increase. Incentive bonus is a principle which has been accepted. Here you want to say, yes, the negotiations can continue but you should not get it just now. Therefore, this is the idea, of impounding the bonus amounts for which the workers have been labouring throughout the year. These amounts are their due for the extra labour that they have put in. This bonus should not be touched. Mine is a very simple amendment for deletion of the explanation concerning this and I do not think the hon. Minister will reject it.

SHRI RAJA KULKARNI: Sir, out of 8, I press two amendments 94 and 95. It relates to definition. Under old formula, the agreement was decided and brought about prior to the ordinance. Under the old formula of D.A. if because of rise in cost of living, if the DA rises, the ordinance is attracted. Instead of that kind of a definition, if the DA goes up as a result of additional dearness allowance amount which is earned because of the higher rates of dearness allowance, neutralisation, it is only under such kinds of circumstances that the ordinance should be attracted. That is my amendment No. 94 regarding the new definition of additional dearness allowance. Then about No. 95 I have said this. That refers to the category which is exempted, that is, those who should be exempted from operation of the ordinance. One is this. So far as Third Pay Commission recommendations to the Central Government and the State Government employees are concerned they are all exempted. But there are public undertakings. There agreements have been arrived at in 1970-71, 1972 and so on. They have agreed that whenever the Third Pay Commission gives its report and when those recommendations are accepted, they will be made applicable to public sector employees. Negotiations were going on how to apply them and when the question came of application the ordinance came in between. That ordinance need not be attracted in the application of the Third Pay Commission recommendation to public sector undertakings. Number two is this. This is about agreement having taken place prior to the date of the ordinance. Somehow or other the agreements had been submitted to Government for approval. Approval has not come from the Government. May be this is submitted to tribunal by way of award in terms of settlement and so on. That award has not come before the ordinance. In such cases this ordinance should not be attracted. So these should be exempted. That is all my submission.

SHRI YESHWANTRAO CHAVAN: I have already moved the Government

[Shri Yeshwantrao Chavan]

amendments Nos. 52, 53, 54, 55 and 103. which I am pressing.

I do not have to give any further explanation to this except that they are intended to remove some of the ambiguities in the procedures which are of a clarificatory nature.

Now, may I say something in reply to some of the amendments?

MR. CHAIRMAN: Of course.

SHRI YESHWANTRAO CHAVAN: Excepting amendment Nos. 107 and 108 moved by my hon. friend, Shri Stephen. I am opposing all the amendments. I am accepting his amendments because that is exactly our intention but we have not put it in specific words. We certainly do not want the minimum rates of wages to be fixed under the Minimum Wages Act of 1948. That we would like to stand apart.

As regards the other amendment of the hon. Member, that is, amendment Number 112. I would like to tell that if we accept this amendment, then other amendment would not be necessary. The special allowances which are related to the cost of living would also be included therein. That stands quite different from the definition and so, I would request the hon. Member not to press for that.

If I accept the amendment of Shri Raja Kulkarni, then what for is the Bill I do not understand. By you moving the amendments, you are negativing the whole Ordinance.

SHRI RAJA KULKARNI: Discrimination should be removed.

SHRI YESHWANTRAO CHAVAN: I would request you to withdraw the amendment.

MR. CHAIRMAN: Now, I shall put the Government Amendments to the vote of the House.

SHRI S. M. BANERJEE: Is the hon. Member, Shri Raja Kulkarni withdrawing his amendments?

MR. CHAIRMAN: We shall consider that when we come to his amendments.

Now, the question is:

Page 2, Line 17,—

*after* "Over" *insert* "and above" (52).

Page 3, line 25,—

*for* "the" *substitute* "any" (53)

Page 3,—

*for* linos 49 and 50, *substitute*—

"name, such person; and includes, in the case of a deceased employer, the legal representative of such deceased employer;" (54)

Page 4, line 11,—

*for* "made" *substitute* "framed" (55)

Page 3, line 7,—

*for* "on the appointed day", *substitute* "immediately before the appointed day". (103)

*The motion was adopted.*

MR. CHAIRMAN: Now, we shall take up amendment Nos. 107 and 108 moved by Shri C. M. Stephen and which are accepted by Government.

The question is:

Page 2,—

*after* line 41, *insert*—

"(v) any increase in wages consequent on the revision of the minimum rates of wages fixed under the Minimum Wages Act, 1948;" (107)

Page 2, line 42,—

*for* "(v)" *substitute* "(vi)" (108)

*The motion was adopted.*

MR. CHAIRMAN: Now, I shall come to the amendment No. 50 moved by Shri Ramsingh Bhai. Are you pressing?

SHRI RAMSINGH BHAI: I withdraw my amendment.

MR. CHAIRMAN: Is it the pleasure of the House to grant leave to the hon. Member to withdraw his amendment?

*Amendment No. 50 was, by leave, withdrawn.*

MR. CHAIRMAN: Now, we take up amendment Nos. 63 and 64 moved by Shrimati Parvathi Krishnan. I think she is not here. Anyhow, I shall put them to the vote of the House.

*Amendment Nos. 63 and 64 were put and negatived.*

MR. CHAIRMAN: Now, we take up amendment Nos. 94, 95, 96, 97, 98, 99, 100 and 101 moved by Shri Raja Kulkarni. Are you pressing?

SHRI RAJA KULKARNI: I withdraw the amendments.

MR. CHAIRMAN: Is it the pleasure of the House to grant leave to the hon. Member to withdraw his amendments?

*Amendment Nos. 94, 95 and 97 to 101 were, by leave withdrawn.*

MR. CHAIRMAN: I shall now put amendment No. 112 moved by Shri Stephen to the vote of the House.

SHRI C. M. STEPHEN: In view of the clarification given by the hon. Minister, I withdraw my amendment.

MR. CHAIRMAN: Is it the pleasure of the House to grant leave to the hon. Member to withdraw his amendment?

*Amendment No. 112 was, by leave, withdrawn.*

MR. CHAIRMAN: I now put amendment No. 113 moved by Shri P. M. Mehta to the vote of the House.

*Amendment No. 113 was put and negatived.*

MR. CHAIRMAN: I now put amendments Nos. 118 and 119 moved by Shri Atal Bihari Vajpayee to the vote of the House.

*Amendments Nos. 118 and 119 were put and negatived.*

MR. CHAIRMAN: The question is:

"That Clause 2, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

*Clause 3—(Persons to whom this Act applies.*

MR. CHAIRMAN: Now, we take up clause 3.

SHRI ATAL BIHARI VAJPAYEE: I move:*

Page 5,—

*after line 33, insert—*

"Provided that any employee of the foregoing bodies, not wishing to avail of this scheme may opt out of the scheme by conveying his wish to his employer in writing." (2)

SHRI KRISHNA CHANDRA HALDER (Ausgram): I move:

Page 5, line 7,—

*after* "employee" *insert—*

"drawing a basic salary or remuneration of rupees one thousand six hundred and above per month," (38)

*Amendments moved with the recommendation of the President.

श्री अटल बिहारी वाजपेयी : सभापति जी, यह संशोधन बड़ा बुनियादी है। मेरा कहना है कि यह कम्पलसरी डिपाजिट ठीक नहीं है डिपाजिट अगर हो तो वालंटरी होना चाहिए। इसी आशय का मैंने यह संशोधन दिया है :

"Provided that any employee of the foregoing bodies, not wishing to avail of this scheme may opt out of the scheme by conveying his wish to his employer in writing."

मैं एक नया क्लाज 3-ए भी जोड़ना चाहता हूं

"Nothing in this Act shall apply to such emplyees as have chosen to opt out of this scheme under proviso to section 3."

मैं समझता हूं यदि यह संशोधन स्वीकार कर लिए जायंगे तो फिर वित्त मंत्री के विधेयक से हमारा कोई मतभेद नहीं रहेगा। संशोधन बहुत छोटे हैं लेकिन बड़े प्रभावकारी है और मैं वित्त मंत्री से प्रार्थना करूंगा कि इनको स्वीकार करें।

श्री एस० एम० बनर्जी : सभापति महोदय, अटल जी ने जो अमेण्डमेंट्स मूव की हैं, मेरी भी वही अमेण्डमेंट हैं। अगर वाकई कोई बचत की स्कीम लानी है तो उसको वालंटरी बेसिस पर होना चाहिए। जिस आदमी की हिम्मत बचत करने की हो वह बचत करे लेकिन कर्जा लेकर उसको बचत करनी पड़े, मैं समझता हूं यह गलत है। मेरा सुझाव है कि यदि कोई कर्मचारी इस स्कीम में नहीं रहना चाहता तो वह अपना अनशन दे दे कि वह इससे अलग होता है और उनको दंडित न किया जाये। मैं बार बार वित्त मंत्री जी से कहता हूं कि वे इस स्कीम को वालंटरी कर दें, कम्पलसरी होने से उसका बहुत नुकसान होगा।

SHRI YESHWANTRAO CHAVAN: The only thing that I can say is that I deny myself the pleasure of accepting these amendments.

MR. CHAIRMAN: He having denied himself the pleasure, I shall now put the amendments Nos. 2 and 38 to the vote of the House.

*Amendment Nos 2 and 38 were put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 3 stand part of the Bill".

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*New Clause 3-A*

SHRI ATAL BIHARI VAJPAYEE: I beg to move*:

Page 5, *after* line 41, *insert*— ..

"3A. Nothing in this Act shall apply to such employees as have chosen to opt out of this scheme under proviso to section 3.". (3)

MR. CHARMAN: I shall now put this amendment to vote.

*Amendment No. 3 was put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 4 stand part of the Bill".

*The motion was adopted.*

*Clause 4 was added to the Bill*

*Clause 5—(Additional Wages Deposit Account and Additional Dearness Allowance Deposit Accounts.)*

*Amendments moved with the recommendations of the President.

SHRI ATAL BIHARI VAJPAYEE: I beg to move*:

Page 6, line 6, *for* 'COMPULSORY' *substitute* 'VOLUNTARY'. (4)

सभापति महोदय, इस संशोधन के द्वारा मैंने यह आपत्ति पहले भी की थी और फिर दोहराना चाहता हू कि हर कर्मचारी के दो अकाउन्ट रखने की क्या जरूरत है ? क्या इस से काम नही बढेगा, खर्चा नही बढेगा ? एक वेतन मे वृद्धि का अकाउन्ट अलग होगा और ऐडीशनल डी० ए० के बारे मे अलग अकाउन्ट होगा । तो कोई ऐसा ढग नही निकाला जा सकता कि दो अकाउन्ट्स की जगह एक अकाउन्ट रखा जाय ? खर्चा कम हो, लोग कम लगाने पडे ? वित्त मत्री महोदय को इस के बारे में क्या प्रतिक्रिया है ? क्या इतना छोटा सा सुझाव भी वह सोचने के लिए तैयार नही है ?

SHRI YESHWANTRAO CHAVAN: I do not want to say anything.

MR. CHAIRMAN: I shall now put amendment No. 4 to vote.

*Amendment No. 4 was put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 5 stand part of the Bill".

*The motion was adopted.*

*Clause 5 was added to the Bill.*

Clause 6.—(*Duty of employer or other person to make deductions of additional wages and additional dearness allowance from emoluments.*)

SHRI ATAL BIHARI VAJPAYEE: I move*:

Page 6, line 22,—

*for* "two years" *substitute* "one year" (5).

Page 6, lines 29 and 30,—

*omit* "and one-half of the additional dearness allowance" (6)

Page 6, lines 32 and 33,—

*omit* "and the Additional Dearness Allowance Deposit Account, respectively" (7)

Page 6, line 38,—

*omit* "and one-half of the additional dearness allowance," (8)

Page 6, lines 42 and 43,—

*omit* "and the Additional Dearness Allowance Deposit Account, respectively" (9)

Page 7, lines 5 and 6,—

*omit* "and one-half of the additional dearness allowance" (10)

Page 7, lines 8 and 9,

*omit* "and the Additional Dearnes Allowance Deposit Account, respectively" (11)

Page 7, lines 11 and 12,—

*omit* "and one-half of the additional dearness allowance" (12)

Page 7, lines 15 and 16,—

*omit* "and the Additional Dearness Allowance Deposit Account, respectively" (13)

Page 7,—

*after* line 16, *insert*—

"Provided that in a case where the employee gets a consolidated pay, the additional amount shall not be counted as his wages only, but an

*Amendments moved with the recommendation of the President.

appropriate portion of it shall be considered as Additional Dearness Allowance." (14)

Page 7, line 30,—

*omit* "separately" (15)

Page 7, line 31,—

*omit* "respective" (16)

SHRI KRISHNA CHANDRA HALDER: I move:

Page 6, line 18,—

*after* "made" *insert*—

"in respect of payments accruing due with effect from the 6th day of July, 1974".

Page 6, line 19,—

*for* "one year" *substitute* "three months" (40)

Page 6, line 22,—

*for* "two years" *substitute* "three months" (41)

SHRI YESHWANTRAO CHAVAN: I move:

Page 6, line 23,—

*for* "Act" *substitute* "section" (56)

SHRI ATAL BIHARI VAJPAYEE: I move:

Page 7,—

*after* line 28, *insert*—

"(d) the Central and State Governments, the Secretaries-General of Lok Sabha and Rajya Sabha and Secretaries of all other State Legislatures in India shall, as and when salaries and any or all types of allowances are disbursed to Central and State Ministers, M.Ps. M.L.As. and M.L.Cs., shall deduct ten per cent from each of the emoluments so disbursed and credit the amounts so deducted, in accordance with the scheme, to the accounts that are fixed for this purpose." (120)

MR. CHAIRMAN: As regards amendments Nos. 75—86, they are the same as those already moved.

**श्री अटल बिहारी वाजपेयी** : सभापति जी, यह धारा 6, जैसा कि वित्त मंत्री महोदय ने अपने भाषण मे कहा था कि यह सारे विधेयक की जान है। इस मे कहा गया है कि डिडक्शन्स का मतलब यह होगा :

"In the case of additional wages for a period of one year."

"In the case of dearness allowance for period of two years."

यह अन्तर करने की क्या जरूरत है ? आप दोनो के लिये एक साल कर दीजिये। आखिर सरकार के सोचने के पीछे कोई तर्क पद्धति है कि नही ? वेतन बढ़ते हैं वह बढ़ा हुआ वेतन कर्मचारी, मजदूर खर्चा न करे अगर यह तरीका सोचने का है और इस दृष्टि से एक साल निर्धारित किया गया है तो फिर एक साल महगाई भत्ते पर भी लागू होन चाहिये और अगर वित्त मत्री का यह कहना हो कि हम महगाई भत्ता दो साल इसलिये नही देना चाहते कि दो साल महगाई बढ़ने वाली है और फिर भत्ता बढाने की माग भी होगी, तो मेरा कहना है कि एक साल बाद शायद यह स्थिति हो जाय वेतन के बारे मे यह फैसला करना पडे कि बढा हुआ वेतन नहीं देंगे क्यों कि आर्थिक सकट सुलझने के बजाय और गम्भीर हो गया तो दोनों के बारे में एक साल कर लीजिये, और अगर बढ़ाने की जरूरत पड़ी तो दोनों के लिए एक साथ संशोधन ले आइये। लेकिन महंगाई भत्ते के पीछे दो साल इस के पीछे क्य लौजिक है यह जरा वित्त मंत्री महोदय स्पष्ट कर दें।

SHRI S. M. BANERJEE: Mr. Chairman, Sir, I support these amendments. I have also given some amendments. One amendment is, Page 6, line 28, *for* "two years" *substitute* "one year". I fully endorse the logical arguments put forward by my hon. friend Mr. Atal Bihari Vajpayee. It cannot be two years in case of dearness allowance. The other amendment is, Page 6, lines 29 and 30 *omit* "and one-half of the additional dearness allowance" and again, Page 6, lines 32 and 33 *omit* "and the Additional Dearness Allowance Deposit Account, respectively". It goes on like this. Then, Sir, by pleading that this should be one year in both the cases, I would only request the hon. Minister, even at this fag end of the day, not to deduct or deposit a portion of the dearness allowance which has been sanctioned to the Central Government employees from 1st April 1974. At that time, this Ordinance was not in existence. The Ordinance was promulgated on 6th July 1974. As such, the increase of dearness allowance from 1st April 1974 and from 1st June 1974 can, by no stretch of imagination, come under the mischief of this Ordinance. This will amount to, excuse me if I may say so, cheating the Central Government employees if payment is withheld for so many months under one pretext or other and then it is deducted on the ground that the payment has been made after the promulgation of this Ordinance. It will be very unfair and unjust. I would request the hon. Minister to consider this point because a delegation of the Central Government employee, the National Council of the JCM, met him and pleaded not to deduct this amount. When the Act comes into existence, then, it may be deducted. But, that particular amount which was due to them from 1st April 1974 should not and cannot be deducted. With these words, I would request the hon. Minister to kindly consider this point. I do not expect an answer immediately. Let him ponder over this matter, think it objectively and come to a conclusion.

MR. CHAIRMAN: Let us now take up amendments to Clause 6. I will now put Amendment No. 56 to Clause 6 moved by Shri Yeshwantrao Chavan, to the vote of the House. The question is:

Page 6, line 23,—

*for* "Act" *substitute* "section" (56)

*The motion was adopted.*

MR. CHAIRMAN: I will now put Amendments Nos. 5 to 16 to Clause 6 moved by Shri Atal Bihar Vajpayee, to the vote of the House.

*Amendments Nos. 5 to 16 were put and negatived.*

MR. CHAIRMAN: I will now put Amendment Nos. 39 to 41 to Clause 6 moved by Shri Krishna Chandra Halder, to the vote of the House.

*Amendments 39 to 41 were put and negatived.*

MR. CHAIRMAN: I will now put Amendment No. 120 to Clause 6 moved by Shri Atal Bihari Vajpayee to the vote of the House.

*Amendment No. 120 was put and negatived.*

MR. CHAIRMAN: Now, the question is:

"That Clause 6, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 6, as amended was added to the Bill.*

*Clause 7.—(Deposits to carry simple interest).*

MR. CHAIRMAN: Now, we will take up Clause 7

Mr. Vajpayee, are you moving your amendment?

SHRI ATAL BIHARI VAJPAYEE: Yes, Sir. I beg to move:*

*Amendment moved with the recommendation of the President.

Page 7, line 38,—

*after* "calculated" *insert*—

"twice a year and" (17)

MR. CHAIRMAN: I will now put amendment No. 17 to the vote of the House.

*Amendment No. 17 was put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 7 stand part of the Bill."

*The motion was adopted.*

*Clause 7 was added to the Bill.*

*Clause 8 was added to the Bill*

*Clause 9—(Repayment of Deposits.)*

MR. CHAIRMAN: There are a number of amendments.

SHRI ATAL BIHARI VAJPAYEE: I move*:

Page 8, line 18,—

*for* "two-years" *substitute* "one year" (18)

Page 8,—

*after* line 23, *insert*—

'*Explanation.*—for the purpose of this proviso, a case of extreme hardship means sickness or death or marriage of a family member of an employee or repayment of loans or borrowings taken by the employee earlier" (19)

Page 8, line 35,—

*omit* "equal" (20)

Page 8, line 36,—

*after* "instalments" *insert*—

", the first being fifty per cent of the whole amount and the rest in four instalments being one-fourth each of the remaining amount," (21)

Page 8, lines 36 and 37,—

*omit* "or two years, as the case may be," (22)

Page, 8, lines 38 and 39,—

*for* "compulsory" *substitute* "voluntary" (23)

SHRI KRISHNA CHANDRA HALDER: I move*:

Page 8, line 14,—

*for* "one year" *substitute* "three months" (42)

Page 8, line 18,—

*for* "two years" *substitute* "three months" (43)

Page 8, line 35,—

*for* "five" *substitute* "two" (44)

Page 8, line 36,—

*for* "annual" *substitute* "quarterly" (45)

Page 8, lines 36 and 37—

*for* "one year or two years, as the case may be," *substitute* "three months" (46)

**श्री अटल बिहारी वाजपेयी** : इस संशोधन के द्वारा मैं ने यह मांग की है कि पृष्ठ 8 पर 23वीं पंक्ति के बाद निम्नलिखित जोड दिया जाए :

"*Explanation*: For the purpose of this proviso, a case of extreme hardship means sickness or death or marriage of a family member of an employee or repayment of loans or borrowings taken by the employee earlier."

अभी जो कुछ इस विधेयक में कहा गया है, उसके अनुसार सरकार ने सारे मामले को

*Amendments moved with the recommendations of the President.

अस्पष्ट छोड़ दिया है। क्या सरकारी अधिकारी यह फैसला करेंगे कि कोई कर्मचारी कठिनाई में है या नहीं है? क्या इस तरह के फैसले उचित होंगे? क्या मंत्री महोदय यह नहीं मानते कि कोई कर्मचारी कभी सचमुच में कठिनाई में आ सकता है और उस अवसर पर उस को इस कानून से छुटकारा देने की आवश्यकता पड़ेगी। उदाहरण के लिए बेटी का विवाह हो सकता है, परिवार में मृत्यु हो सकती है या ऐसी बीमारी हो सकती है कि कर्मचारी इस स्थिति में न रहे कि वह अनिवार्य जमा योजना में अपना दान दे सके, तो मैं समझता हूं कि इस सम्बन्ध मे अपवाद करने में कोई कठिनाई नही होनी चाहिए। वित्त मंत्री महोदय केवल प्रयोग काश्रम मदस्य का एक संशोधन मान कर संतोष अनुभव न करें। अगर एक हमारा सशोधन भी मान लें, तो हिसाब किताब जरा बराबर हो जाएगा।

SHRI S. M. BANERJEE: I fully support the amendment of Shri Vajpayee. The advantage of exemption will be given only to the favourite employees. In the case of employees who are really suffering, it will be left to the employers or bureaucrates to decide who will get the advantage of exemption. This proviso provides some guidelines. It says, if a man is sick or his daughter is to be married or some extreme and genuine hardship is there, in such cases he should be granted exemption. I think this particular expression in the proviso should be accepted without any hitch because the hon. Minister in this very Bill has agreed that there is need for exemption. Suppose there is a calamity, will not exemption be given in the case of an employee? In that case, this explanation should be accepted. I would request the Minister to accept it.

SHRI YESHWANTRAO CHAVAN: This clause itself is making provision to facilitate the withdrawal of money in case of hardship. What the hon. Members are trying to do is to define hardship. I would like to tell them that hardship is such a comprehensive situation that by definition we are trying to restrict its scope. That is why we do not think it is necessary to have a definition. Because, there may be occasions when a particular hardship may not be covered by the definition which is sought to be given here. So, I would say it is much better to keep it as it is, giving discretion to the person concerned. It is taking a human view of the matter and that purpose will not be served by the definition that they are trying to suggest

MR. CHAIRMAN: I will now put amendment Nos. 18 to 23 to clause 9, moved by Shri Atal Bihari Vajpayee, to the vote of the House.

*Amendments No. 18 to 23 were put and negatived.*

MR. CHAIRMAN I will now put ~~MR. CHAIRMAN: I will now put~~ moved by Shri Krishna Chandra Halder, to the vote of the House.

*Amendments Nos. 42 to 46 were put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 9 stand part of the Bill".

*The motion was adopted.*

*Clause 9 was added to the Bill.*

*Clause 10.—(Power of Central Government to frame schemes.)*

SHRI S. M. BANERJEE: I beg to move:

"That this House summons the Attorney-General of India to address the House and give his opinion on clause 10 of the Bill"

At the consideration sage this morning my hon. friends Shri Madhu Limaye, Shri Somnath Chatterjee, myself and others raised various objections to the provision as embodied in clause 10, whereby rules can be

[Shri S. M. Banerjee]

framed by the bureaucrats, ignoring the Committee on subordinate legislation or this House. Sub-clause (3) reads:

> "A scheme framed under this section may provide that all or any of its provisions shall take effect, either prospectively or retrospectively, on such date, not being a date earlier than the appointed day, as may be specified in this behalf in the scheme and every scheme framed under this section shall have effect notwithstanding anything contained in any law (other than this Act) for the time being in force or in any instrument having effect by virtue of any enactment other than this Act."

When I raised this in the morning I got the impression from the hon. Speaker that we could better argue it at the consideration stage. What are the other Acts which will be affected by this? The Minimum Wages Act is ignored, the Industrial Disputes Act is negatived and the Payment of Wages Act is completely ignored. So, this Bill, when it becomes an Act, will be so mischievous, so preposterous and so draconian that it will swallow all those laws which we in our wisdom, or our predecessors in their wisdom, passed to give certain benefits to the workers.

This is a very serious matter. That is why I have requested through a motion that this House should summon the Attorney-General to address this House to get certain clarifications from him on this particular clause 10, whether a particular legislation can negative all those legislations which we passed in this House. It is being done simply by a stroke pen by the bureaucracy. This is putting enormous powers in the hands of the bureaucrats. All the labour legislations for which right from Mr. S. M. Joshi and others laboured and got them passed are going to be ignored by this legislation. It is only because of thoughtless action of the Government. For the last 27 years, they have miserably failed. Because of the wrong policies of the Government, they now want to bring a legislation which will negative all the labour legislations passed by this House, whether it is the Payment of wages Act, whether it is the Minimum wages Act, whether it is the payment of Bonus Act, whether it is the Industrial Disputes Act.

So, through my motion, I request the House to summon the Attorney-General to address this House to get clarifications from him on certain points in regard to clause 10.

**श्री मधु लिमये** : सभापति महोदय, आप की तवज्जह में खीचना चाहता हूं संविधान की धारा 13 की ओर। 13(3)(ए) में कानून की व्यवस्था की गई है:

> "(a) "law" includes any Ordinance, order, by-law, rule, regulation, notification, custom or usage having in the territory of India the force of law;"

अब मेरा पहला सवाल है कि यह जो दसवी क्लाज है उस के सब-सेक्शन (3) में एक योजना बनाई जायगी, स्कीम बनाई जायगी।

> "a scheme framed under this section...."

Who is going to frame the scheme?

कौन करेगा इस को ? सेंट्रल गवर्नमेंट करेगी। तो इस का मतलब है कि सेंट्रल गवर्नमेंट लेजिस्लेट करेगी क्लाज 10 के तहत। अगर इस बात को आप मानते हैं कि स्कीम लेजिस्लेट करने का अधिकार सेंट्रल गवर्नमेंट को दिया गया है, पार्लियामेंट नहीं कर रही है, यह सदन नहीं कर रहा है लेजिस्लेशन का काम, सेंट्रल गवर्नमेंट यानी कार्यकारिणी करेगी तो ऐसी हालत में मुझे पता नहीं, सभापति महोदय, आप सबार्डिनेट लेजिस्लेशन कमेटी

के सदस्य हैं या नहीं, लेकिन अगर आप हैं तो आप को यह मालूम होगा कि जो लेजिस्लेशन यह सदन नहीं करता है और सरकार करती है वह सारा इस कमेटी के पास जाता है। लेकिन मंत्री महोदय ने इस धारा का उल्लेख तक नहीं किया है अपने मेमोरेंडम में। इसलिए मैं आप का अधिक समय न लेता हुआ सिर्फ इतना ही कहना चाहता हूं कि एक तो इस का स्पष्ट उल्लेख होना चाहिए था मेमोरेंडम में, या उसमें कोई ऐसा प्रावधान होना चाहिए था कि यह योजना सदन के सामने आएगी और सदन के द्वारा उस पर मुहर लगाई जायेगी। मंत्री महोदय इसके ऊपर दोबारा पुनर्विचार करें और आपकी इजाजत से कुछ इस में संशोधन करने के लिए वह तैयार हो जाएंगे तो बहुत अच्छी बात हो जायेगी, आप तो सहमति उस के लिए दे ही देंगे।

SHRI YESHWANTRAO CHAVAN: Sir, this point was raised before also. It is very difficult to accept the argument that this is some sort of a power taken under the legislation to override other legislations. This is the main argument given. The point that I am trying to make is this.

Please see Clause 25. It reads as follows:—

> "Every rule and every scheme made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions...

That means, the House will have every opportunity to disapprove or modify any scheme that is laid.

**श्री मधु लिमये :** ठीक यही तो मैं कह रहा था। उस समय यह डिप्टी स्पीकर ने रूलिंग दी कि चर्चा का समय आएगा। तो उस का मैं जवाब चाहता हूं। जब उन्होंने खुद कहा है कि रूल्स की तरह कम की आएगी तो यह सबार्डिनेट लेजिस्लेशन है। उस समय तो कहा गया कि वोटिंग से तय होगा। चेयर की तरफ से रूलिंग नहीं दी गई।

**सभापति महोदय :** क्लाज 10 पर आप कोई अमेंडमेंट लाए हों तो उस पर विचार हो जायेगा।

**श्री मधु लिमये :** अगर आप इजाजत देंगे तो मैं दे दूंगा।

**सभापति महोदय :** अब इस समय कैसे देंगे?

Mr. S. M. Banerjee has moved a motion to summon the Attorney-General of India to address the House and give his opinion on Clause 10. I shall put it to the vote of the House. The question is:

> "That this House summons the Attorney-General of India to address the House and give his opinion on Clause 10 of the Bill."

*The moion was negatived.*

**20 hrs.**

MR. CHAIRMAN: Regarding amendments Nos. 24 and No. 25, Mr. Vajpayee is not moving. Are you moving Mr. Chavan, your amendment No. 57?

SHRI YESHWANTRAO CHAVAN: Yes, I am moving.

I beg to move:

Page 9, line 22,—

*for* "made" *substitute* "framed" (57).

MR. CHAIRMAN: Are you moving No. 65, Mrs. Parvathi Krishnan?

SHRIMATI PARVATHI KRISHNAN: Yes, I am moving. I beg to move:

Page 9, line 17,—

*for* "rupees two" *substitute* "rupee one" (65)

MR. CHAIRMAN: I will now put Government Amendment No 57 to the vote of the House.

The question is:

Page 9, line 32,—

*for* "made" *substitute* "framed" (57)

*The motion was adopted.*

MR CHAIRMAN: I will now put amendment No 65 moved by Shrimati Parvathi Krishnan to vote.

*Amendment No. 65 was put and negatived*

MR CHAIRMAN: The question is.

"That Clause 10, as amended, stand part of the Bill"

*The motion was adopted*

*Clause 10, as amended, was added to the Bill*

*Clauses 11 and 12 were added to the Bill*

*Clause 13—(Transfer of establishments)*

SHRI YESHWANTRAO CHAVAN. I move all the four amendments. I beg to move:

Page 10, line 9,—

*after* "the" *insert* "appropriate" (58)

Page 10, line 8,—

*after* "is so transferred", *insert* "or the licence is so given" (104)

Page 10, line 12,—

*after* "transferee", *insert* "or licensee" (105)

Page 10, line 13,—

*after* "such transfer", *insert* "or licence, as the case may be," (106)

MR. CHAIRMAN: I will now put the Government amendments to the vote.

The question is:

Page 10, line 9,—

*after* "the" *insert* "appropriate" (58)

Page 10, line 8,—

*after* "is so transferred", *insert* "or the licence is so given" (104)

Page 10, line 12,—

*after* "transferee", *insert* 'or licensee" (105)

Page 10, line 13,—

*after* "such transfer", *insert* "or licence, as the case may be", (106)

*The motion was adopted.*

MR CHAIRMAN Now the question is

"That Clause 13, as amended, stand part of the Bill"

*The motion was adopted.*

*Clause 13, as amended, was added to the Bill.*

Clause 14.—(*Penalties*)

MR CHAIRMAN: There are amendments 26 to 32 by Shri Vajpayee and colleagues

SHRI HUKAM CHAND KACHWAI (Morena): I beg to move*:

Page 10, line 24,—

*for* "six months" *substitute* "one month" (26)

Page 10, line 24,—

*for* "one thousand" *substitute* "two hundred" (27)

Page 10, line 31,—

*for* "three months" *substitute* "one day" (28)

Page 10, line 32,—

*for* "six months" *substitute* "seven days" (29)

*Amendments moved with the recommendation of the President.

Page 10, lines 33 and 34,—

for "one year" substitute "one month" (30)

Page 11, line 8,—

for "six months" substitute "one month" (31)

Page 11, line 8,—

for "one thousand" substitute "two hundred" (32)

SHRI YESHWANTRAO CHAVAN: I am moving amendment No. 59. I beg to move:

Page 10, line 28,—

for "made" substitute "framed" (59)

SHRIMATI PARVATHI KRISHNAN: I am moving amendment Nos. 66 to 69. I beg to move:

Page 10, line 31,—

for "three months" substitute "six months" (66)

Page 10, line 32,—

for "six months" substitute "one year" (67)

Page 10, lines 33 and 34,—

for "one year" substitute "two years" (68)

Page 11,—

omit lines 5 to 9. (69)

MR. CHAIRMAN: I shall put amendment No. 59 moved by Shri Yeshwantrao to the vote of the House.

The question is:

Page 10, line 28,—

for "made" substitute "framed" (59)

*The motion was adopted.*

MR. CHAIRMAN: I shall now put amendment Nos. 26 to 32 moved by Shri Atal Bihari Vajpayee and others to the vote of the House.

*Amendments Nos. 26 to 32 were put and negatived.*

MR. CHAIRMAN: Now we take up amendment Nos. 66 to 69 moved by Shrimati Parvathi Krishnan and her other colleagues.

SHRI M. KATHAMUTHU (Nagapattinam): Sir, I want to speak on amendment Nos. 66 to 69. According to the Bill, the penalty given to the defaulters is very low. For that purpose we have given our amendments. By amendment Nos. 66 to 69, we want to substitute for "three months", "six months", "one year" by the words "six months", "one year", "two years" respectively. By our amendment No. 69, we want to omit lines 5 to 9 on page 15.

I press all my amendments to the vote of the House.

MR CHAIRMAN: Now, I shall put amendment Nos. 66 to 69 moved by Shrimati Parvathi Krishnan and her colleagues to the vote of the House.

*Amendments Nos. 66 to 69 were put and negatived.*

MR. CHAIRMAN: Now, the question is:

"That Clause 14, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 14, as amended, was added to the Bill.*

*Clause 15—(Offences by Companies.)*

MR. CHAIRMAN: Now we take up clause 15. There are amendments.

SHRI HUKAM CHAND KACHWAI: I move*:

Page 11, line 13,—

after "business of" insert "and maintenance of accounts of" (33)

Page 11, line 13,—

omit "as well as the company," (34)

*Amendments moved with the recommendation of the President.

SHRIMATI PARVATHI KRISHNAN: I move:

Page 11,

*omit* lines 16 to 19. (70)

*Amendments made*:

Page 11, line 21,—

*for* "any" *substitute* "an" (60)

Page 11, line 21,—

*after* "committed" *insert*—

"by a company and it is proved that the offence has been committed" (61)

(*Shri Yeshwantrao B. Chavan*)

MR. CHAIRMAN: Now, on amendment Nos. 33 and 34, do you want to say anything?

SHRI R V. BADE (Khargone): I want to say something on this. We have given amendments that after "Business of" the words "and maintenance accounts of" should be added. By amendment No. 34 we want to omit 'as well as the company' on page 11, line 13. What is meant by the Explanation—'For the purpose of this sub-section, the case of extreme hardship means sickness or death or marriage of a family member of the employee or repayment of loans or borrowing taken by the employee earlier'. Therefore, we have given this amendment.

MR. CHAIRMAN: Now, I shall put amendment Nos. 33 and 34 to the vote of the House.

*Amendments Nos.* 33 *and* 34 *were put and negatived.*

MR. CHAIRMAN: Now we take up amendment No. 70 moved by Shrimati Parvathi Krishnan. I shall put them to the vote of the House.

*Amendment No.* 70 *was put and negatived.*

MR. CHAIRMAN: Now, the question is:

"That Clause 15, as amended, stand part of the Bill".

*The motion was adopted*

*Clause* 15, *as amended, was added to the Bill.*

*Clause* 16 *was added to the Bill.*

Clause 17—(*Power to exempt*)

SHRI HUKAM CHAND KACHWAI I move*.

Page 11,—

*after* line 46, *insert*— —

"Explanation for the purpose of this sub-section, the case of extreme hardship means sickness or death or marriage of a family member of the employee or repayment of loans or borrowings taken by the employee earlier." (35).

MR. CHAIRMAN: I put amendment No 35 to the vote of the House.

*Amendment No.* 35 *was put and negatived*

MR CHAIRMAN: The question is:

"That Clause 17 stand part of *the Bill*"

*The motion was adopted.*

*Clause* 17 *was added to the Bill.*

*Clauses* 18 *and* 19 *were added to the Bill.*

*Clause* 20—(*Power to call for returns and inspect accounts*).

*Amendment made*:

Page 12, line 42,—

*for* "relevant" *substitute* "appropriate'. (62)

(*Shri Yashwantrao B. Chavan*)

*Amendments moved with the recommendations of the President.

SHRI JAGANNATHRAO JOSHI (Shajapur): I move*:

Page 12, line 41,—

*omit* "or additional dearness allowance", (36)

MR. CHAIRMAN: I shall put amendment No. 36 to the vote of the House.

*Amendment No. 36 was put and negatived.*

MR. CHAIRMAN: The question is:

"That Clause 20, as amended, stand part of the Bill.".

*The motion was adopted.*

*Clauses 20, as amended, was added to the Bill.*

*Clauses 21 to 27 were added to the Bill.*

New Clause 28

SHRI HUKAM CHAND KACHWAI: I move*:

Page 14,—

*after* line 21, *insert*—

"28. Annual Report on the working of the scheme under this Act shall be laid before both the Houses of Parliament every year." (37).

MR. CHAIRMAN: I now put amendment No. 37 moved by Shri Hukam Chand Kachwai to the vote of the House.

*Amendment No. 37 was put and negatived.*

Clause 1—(*Short title, extent and commencement.*)

SHRI JAGANNATHRAO JOSHI: I move*:

Page 1, lines 5 and 6,—

*for* "Compulsory" *substitute* "Voluntary". (1)

SHRI S. M. BANERJEE: Sir, the amendment is very simple . It says:

"For 'Compulsory" substitute 'Voluntary'."

We want this should be a voluntary scheme and anybody who can afford to save something....Sir, there is disturbance.

So, I would only request that even at this late hour, at the fag end of the day when they can possibly pass this Bill with their majority, the Finance Minister may kindly consider this very objectively. If he is unable to commit himself today, let us pass the Bill tomorrow. Let this be voluntary and not compulsory.

MR. CHAIRMAN: I shall now put amendment No. 1 to the vote of the House.

*Amendment No. 1 who put and negatived.*

MR. CHAIRMAN: The question is:

"That Clause 1 stand part of the Bill".

*The motion was adopted.*

*Clause 1 was added to the Bill.*

*The Enacting Formula and the Title were added to the Bill.*

SHRI YESHWANTRAO CHAVAN: I beg to move:

"That the Bill, as amended, be passed".

MR. CHAIRMAN: Motion moved.

"That the Bill, as amended, be passed".

SHRIMATI PARVATHI KRISHNAN: I hope that it is not too late even now for the hon. Minister to withdraw this Bill and not to press it. But I find that instead of withdrawing the Bill he is himself withdrawing from the House.

*Amendments moved with the the recommendations of the President.

[Smt. Parvathi Krishnan]

As has already been spoken on the floor of the House today, this Bill is perhaps the most obnoxious measure that has ever been discussed on the floor of this House or was intended to be put on the statute-book since the last 27 years of our freedom.

The working class during all these years has put in every mite of its effort into building a new India in spite of all the conspiracies of the monopoly houses and the bankrupt policies of the Government; in spite of all these, production has been increasing and the workers have been putting forth their best and making sacrifices in order to make the country's economy forward. In spite of all that, this is the reward that this bankrupt Government today wants to give to the workers.

Today, as my hon. friend Shrimati Roza Deshpande has said, this Bill instead of its being called the Additional Emoluments (Compulsory Deposit) Bill should be called a pickpocketing Bill. There is a bunch of pick-pockets there all raising their hands and supporting this measure that goes to hit at the wage packet of the working class.

AN HON. MEMBER: Who is the major pick-pocket?

SHRIMATI PARVATHI KRISHNAN: I do not know. Probably he has gone to get his scissors to do the pickpocketing (*Interruptions*).

MR. CHAIRMAN: Let her not reduce it from the sublime to the ridiculous.

SHRIMATI PARVATHI KRISHNAN: It can never be sublime when Government come forward with a measure like this. How do you possibly call it sublime when it is not even ridiculous but something worse?

MR. CHAIRMAN: I am talking of the level of the debate and I am saying that she has raised it to that sublime level. So, why should she bring in other things?

SHRIMATI PARVATHI KRISHNAN: I wish it is sublime....

SHRI S. M. BANERJEE: The level of the debate will rise so high that some time you will see us rising above the House.

SHRIMATI PARVATHI KRISHNAN: The hon. Finance Minister, speaking on the no-confidence motion did say that Government was absolutely helpless as far as prices were concerned. Two years ago, the hon. Minister came before this House with his financial policies saying that he was going to act on a war footing. Today, again we hear the same word from everybody My colleague Mr Stephen also said that we were fighting a war against inflation: Unfortunately, this war is not against inflation; this Bill indicates a war against the working class, and the working class is taking up that challenge and will take up that challenge. We are told in season and out of season that inflation is a global phenomenon. Of course, the Finance Minister, uttering one of those few words of truth.—sometimes he stumbles into it—and said that there was one part of the world where there was no inflation, namely the socialist part of the world.

If inflation is a global phenomenon in the non-socialist part of the world, I would like to warn this Government that every wage freeze move that has been there in the capitalist countries of the world has witnessed the global phenomenon of workers' resistance That global phenomenon is coming to this country also. Let the Finance Minister understand, let the whole Government and all of you on that side understand that if such a shameful act as the passing of this measure takes place today, the floodgates of the workers' worth will be upon you.

You talk of increasing production. It cannot increase when there will be increase in industrial unrest. This is the warning that is there and it is even now not too late for the hon. Finance Minister to withdraw this Bill, to be graceful and to earn the gratitude of the country, of the working class and of the people. This Bill is only worth that much.

SHRI B. V. NAIK (Kanara): It was very stimulating to hear the hon. lady member from the Communist Opposition to speak about the workers. I speak as one who has unlike the hon. member worked all his life for a living, which I suppose that many of us here who have no work experience or making a living or a livelihood....

SHRIMATI PARVATHI KRISHNAN: Does he want to give his autobiographical details here? (*Interruptions*).

MR. CHAIRMAN: Do not go into private life.

SHRIMATI PARVATHI KRISHNAN: He does not have any public life to talk about.

SHRI B. V. NAIK: What I am trying to say is that it would be a good thing for a change to put forth the views of people who have been wage earners, who have made a living out of wages. Therefore, I am trying to submit one or two points.

The entire scheme is that at the end of two years there will be a cessation of this particular Bill at which the entire additional emoluments as well as the arrears due plus the interest thereon will have to be pumped into the economy. (*Interruptions*). I am neither very pessimistic nor very optimistic, but being very realistic, I would like to know whether there is any provision as to how this excess money that will be pumped into our economy from 1975-76 to 1980-81 is going to be tackled. (*Interruptions*). You have been a member of the panel on credit, Group No. I, in which MPs have participated. Many of them participated in the planning process in respect of credit and there has been a consensus of opinion that as far as the emoluments at least of the higher income groups are concerned, some sort of stabilisation ought to be there. At that time, we had used a clean word, that an income freeze at the higher, echelons of the income group in this country is inevitable.

I say this is a progressive first legislation with a considerable amount of teeth in it. I think this will be the beginning, just the tip of the iceberg, this is only the thin end of the wedge to control inflation. I have been saying repeatedly. (*Interruptions*).

SHRI S. M. BANTRJEE: The Bill may not be adopted, but you are going to be adopted by him.

SHRI B. V. NAIK: I would deem it honour to be adopted by Mr. Chavan. We are moving, for the information of my comrade, Mr. Banerjee, towards a system, a socialist system, and this will not only be by popular measures not by playing to the galleries—but will also be by taking hard decisions. I congratulate the Minister of Finance for having brought forward this piece of legislation. I am saying it with full of understanding. Mr. Banerjee has been a worker. I have also been a worker. I have earned my livelihood for twenty years as a worker. I have been a wage earner. I understand the working class, the wage earning class, as much as, if not better than the hon. Members of the Opposition.

**श्री मधु लिमये** (बांका) : सभापति महोदय अपने स्टीम रोलर बहुमत के आधार पर विधेयक को यह लोग पास करेंगे ही। लेकिन क्योंकि वित्त मंत्री जी को पता है कि गरीबी और कंगाली क्या है—प्रधान मंत्री को पता नहीं है लेकिन इन को पता है इसलिये मैं केवल अन्त में उन से एक अपील करना चाहता

[श्री मधु लिमये]

हू कि आप के इस विधेयक के चलते जो समाज के गरीब और कंगाल तबके के लोग है उन के ऊपर जो असर होने वाला है उस पर आप को कम से कम पुनर्विचार करना चाहिये।

सब से पहले एक बात मै कहना चाहता हू कि बम्बई मे मिनिमम वेजेज ऐक्ट के तहत महाराष्ट्र मे न्यूनतम मजदूरी निर्धारित की जाती है, दूसरे सूबा मे भी की जाती है और हर 6 महीने के बाद एक स्पेशल अलाउन्स इन गरीब मजदूरो को दिया जाता है जो कौस्ट आफ लिविंग इंडेक्स के साथ जुडा हुआ रहता है और हर 6 महीने के बाद उस मे परिवर्तन किया जाता है। तो जनवरी मे जुलाई महीने तक 39 50 रु० इन को मिलता था और जुलाई के बाद इन को 57 50 रु० मिलने वाला था, 18 रु० अधिक। तो क्या अपने कानून के तहत इन लोगो का 9 रु० भी आप छीन लेंगे? अगर नही लेंगे तो कम से कम इतना आश्वासन दे कि जो भी स्कीम आप बनायेंगे या कुछ लोगो को एग्जम्प्ट करने का आप को अधिकार मिला है तो कम से कम इस बात का आश्वासन दे कि जिन को न्यूनतम मजदूरी मिलती है उन का वेतन यदि इस दाम वृद्धि के चलते बढाया जाता है तो उन के ऊपर यह कानून आप लागू नही करेंगे।

SHRI Y S MAHAJAN (Buldana): On this issue, Mr. C M. Stephen's amendment has been accepted

**श्री मधु लिमये** मैं आप को और इनको बधाई देता हू कि इन का दिल पिघल गया।

**सभापति महोदय** और वह भी आप के कहने के पहले पिघला।

**श्री मधु लिमये** किसी के मुर्गे की वजह से अगर सवेरा हो जाये तो मुझे क्या एतराज? मैं दोनों को बधाई दूगा।

**सभापति महोदय** औद्योगिक विवादो को ले कर एक लम्बी प्रतिक्रिया रहती है बातचीत की और कभी कभी मामला एडजुडिकेशन मे जाता है इंडस्ट्रियल कोर्ट मे जाता है, प्राइवेट आर्बिट्रेशन होता है और उस मे एक ऐसा प्रावधान होता है कि जो नया भत्ता का फार्मूला है वह फला फला तारीख से लागू किया जाये। क्या इस के बारे मे आप ने कुछ कहा है? जैसे हिन्दुस्तान लीवर मे हम लोगो का जो विवाद था उस मे अवार्ड हुआ और उस मे 1 अप्रैल 1970 से इन लोगो को बेनीफिट मिल रहा है। तो इन एरियर्स का क्या होगा? इस के बारे मे बातचीत कीजिये।

**श्री यशवन्तराव चव्हाण** नहीं हुई।

**श्री मधु लिमये** कोशिश कीजिये। 1 अप्रैल, 1970 से जो मिलने वाला था वह भी इस कानून की पकड मे आयेगा।

बाम्बे म्युनिसिपल कारपोरेशन की जो यूनियन है उन्हो ने कहा जो वेतन कमेटी बैठी है, उस का जो कारपोरेशन मे समझौता हुआ था उस का यह आधार ही था कि 1 अगस्त 1972 से यह श्रेणिया लागू होगी। तो उस के एरियर्स का क्या होगा? और वित्त मंत्री जानते है कि म्युनिसिपल मजदूर समाज वर्ग का दलित वर्ग उस मे अधिक होता है, तो उनके बारे मे कम से कम, म्युनिसिपैलिटी के जो मजदूर है, उन के बारे मे आप को विचार करना चाहिये।

इसी तरह से मै कहना चाहता हू कि ऐसे उद्योगो मे या ऐस्टैबिलशमेंटस मे जो मजदूर काम करते है जो पिछडे और दलित वर्ग के है जिन को बहुत कम आमदनी मिलती है उन मजदूरो को एग्जम्प्ट किया जाय। और इतना भी यह नही मानेंगे तो मै कहूगा कि वित्त मंत्री जी इतने साल सत्ता मे रहने के बाद अपने बचपन की बातो को भूल गए हैं

और कंगाली और गरीबी क्या है, इस बात को भी वे भूल गए हैं. मुझे इस बात को कहना पड़ेगा। तो मंत्री महोदय इन प्रश्नों का उत्तर देने की मेहरबानी करें ।

**सभापति महोदय** : आप जवाब देंगे ।

**श्री यशवन्त राव चह्वाण** : जी नहीं ।

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

*The Lok Sabha divided:*

Division No. 15

20.40 hrs. AYES

Agrawal, Shri Shrikishna
Ahirwar, Shri Nathu Ram
Ambesh, Shri
Ansari, Shri Ziaur Rahman
Appalanaidu, Shri
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Banamali Babu, Shri
Banerjee, Shrimati Mukul
Barupal, Shri Panna Lal
Basumatari, Shri D.
Besra, Shri S. C.
Bhattacharyyia, Shri Chapalendu
Bist, Shri Narendra Singh
Chakleshwar Singh, Shri
Chandrakar, Shri Chandulal
Chaturvedi, Shri Rohan Lal
Chaudhary, Shri Nitiraj Singh
Chavan, Shri Yeshwantrao
Chhotey Lal, Shri
Chhutten Lal, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Deshmukh, Shri Shivaji Rao S.
Dhamankar, Shri
Dharia, Shri Mohan
Dixit, Shri G. C.
Doda, Shri Hiralal
Dube, Shri J. P.
Dumada, Shri L. K.
Engti, Shri Biren
Ganesh, Shri K. R.
Gangadeb, Shri P.
Gavit, Shri T. H.
George, Shri A. C.
Gill, Shri Mohinder Singh
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Hansda, Shri Subodh
Hari Kishore Singh, Shri
Hari Singh, Shri
Jadeja, Shri D. P.
Jamilurrahman, Shri Md.
Jha, Shri Chiranjib
Joshi, Shri Popatlal M.
Kadam, Shri J. G.
Kadannappalli, Shri Ramachandran
Kahandole, Shri Z. M.
Kailas, Dr.
Kakodkar, Shri Purushottam
Kale, Shri
Kamakshaiah, Shri D.
Kamble, Shri T. D.
Kapur, Shri Sat Pal
Kasture, Shri A. S.
Kaul, Shrimati Sheila
Kavde, Shri B. R.
Kedar Nath Singh, Shri
Kinder Lal, Shri
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Krishnan, Shri G. Y.
Kureel, Shri B. N.
Lakshmikanthamma, Shrimati T.

Mahajan, Shri Vikram
Mahajan, Shri Y. S.
Maharaj Singh, Shri
Mahata, Shri Debendra Nath
Malaviya, Shri K. D.
Mallikarjun, Shri
Mandal, Shri Jagdish Narain
Mandal, Shri Yamuna Prasad
Manhar, Shri Bhagatram
Maurya, Shri B. P.
Mirdha, Shri Nathu Ram
Mishra, Shri G. S.
Mishra, Shri Jagannath
Mohammad Yusuf, Shri
Mohapatra, Shri Shyam Sunder
Munsi, Shri Priya Ranjan Das
Murmu, Shri Yogesh Chandra
Naik, Shri B. V.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Palodkar, Shri Manikrao
Pandey, Shri Damodar
Pandey, Shri Krishna Chandra
Pandey, Shri Sudhakar
Pandit, Shri S. T.
Panigrahi, Shri Chintamani
Partap Singh, Shri
Paswan, Shri Ram Bhagat
Patel, Shri Natwarlal
Patil, Shri E. V. Vikhe
Patil, Shri T. A.
Patnaik, Shri J. B.
Pradhani, Shri K.
Qureshi, Shri Mohd. Shafi
Raghu Ramaiah, Shri K.
Rai, Shrimati Sahodrabai
Rajdeo Singh, Shri
Raju, Shri P. V. G.
Ram Prakash, Shri
Ram Surat Prasad, Shri
Ram Swarup, Shri
Rao, Shrimati B. Radhabai A.
Rao, Shri M. S. Sanjeevi
Rao, Shri Nageswara
Rao, Shri P Ankineedu Prasada
Raut, Shri Bhola
Ravi, Shri Vayalar
Ray, Shrimati Maya
Richhariya, Dr. Govind Das
Rohatgi, Shrimati Sushila
Sadhu Ram, Shri
Saini, Shri Mulki Raj
Samanta, Shri S. C.
Sanghi, Shri N. K.
Sankata Prasad, Dr.
Sarkar, Shri Sakti Kumar
Satish Chandra, Shri
Satpathy, Shri Devendra
Sayeed, Shri P. M.
Sethi, Shri Arjun
Shafquat Jung, Shri
Shambhu Nath, Shri
Shankar Dev, Shri
Shankaranand, Shri B.
Sharma, Shri A. P.
Shashi Bhushan, Shri
Shastri, Shri Biswanarayan
Shastri, Shri Sheopujan
Sher Singh, Prof.
Shinde, Shri Annasaheb P.
Shivnath Singh, Shri
Shukla, Shri B. R.
Siddheshwar Prasad, Shri
Singh, Shri Vishwanath Pratap
Sinha, Shri Dharm Bir
Sinha, Shri Nawal Kishore
Sinha, Shri R. K.
Stephen, Shri C. M.
Suryanarayana, Shri K.
Swamy, Shri Sidrameshwar
Uikey, Shri M. G.
Unnikrishnan, Shri K. P.
Venkatasubbaiah, Shri P.
Venkatswamy, Shri G.

Verma, Shri Balgovind
Verma, Shri Sukhdeo Prasad
Vikal, Shri Ram Chandra
Virbhadra Singh, Shri
Yadav, Shri N. P.

NOES

Bade, Shri R. V.
Bhaura, Shri B. S.
Banerjee, Shri S. M.
Bhattacharyya, Shri Jagadish
Bhattacharyya, Shri S. P.
Bhaura, Shri B. S.
Chandra Shekhar Singh, Shri
Chowhan, Shri Bharat Singh
Dandavate, Prof. Madhu
Deshpande, Shrimati Roza
Goswami, Shrimati Bibha Ghosh
Huda, Shri Noorul
Joarder, Shri Dinesh
Joshi, Shri Jagannathrao
Kachwai, Shri Hukam Chand
Krishnan, Shrimati Parvathi
Limaye, Shri Madhu
Mavalankar, Shri P. G.
Mehta, Shri P. M.
Modak, Shri Bijoy
Mohammad Ismail, Shri
Mukherjee, Shri Samar
Muruganantham, Shri S. A.
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Saha, Shri Gadadhar
Sambhali, Shri Ishaque.

MR. CHAIRMAN: The result* of the division is: Ayes 160 Noes 27.

*The motion was adopted.*

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**20.35 hrs.**

## STATUTORY RESOLUTION RE. DISAPPROVAL OF COMPULSORY DEPOSIT SCHEME (INCOME-TAX PAYERS) ORDINANCE AND COMPULSORY DEPOSIT SCHEME (INCOME-TAX PAYERS) Bill

MR. CHAIRMAN. Now we shall take up the Statutory Resolution, which is item No. 13, to be moved by Shri Madhu Limaye, and also the consideration and passing of the Compulsory Deposit Scheme (Income-tax Payers) Bill to be moved by Shri Chavan.

**श्री मधु लिमये** (बाका) . सभापति महोदय क्या यह इस सदन के साथ और मेरे साथ ज्यादती नही होगी कि अब पौने नौ बजने वाला है और आप चाहते है कि मैं इस बिल पर बोलू । क्या इस से कोई भला होगा । इस से अच्छा तो यह है कि आप इस को वैसे ही पास कर दीजिए । कल हम एक घंटा और बैठ सकते है । (व्यवधान)

**सभापति** महोदय : ऐसा है कि मैं तो इस मामले में इस सदन की राय के साथ जाऊंगा । बिजनेस एडवाइजरी कमेटी मे यह निर्णय लिया गया है कि दोनों बिल आज ही पास किये जायेंगे ।

**श्री मधु लिमये** : कब तक ?

**सभापति महोदय** : जिस समय तक ये बिल पास नाहो जाएं यह सदन बैठेगा ऐसा निर्णय था ।

**श्री मधु लिमये** : आप पुनर्विचार कर सकते है, इस वक्त पौने नौ बजे हैं ।

**श्री हुकम चन्द कछवाय** : (मुरैना): कल हम दो घंटे और बैठ सकते है ।

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*Sarvshri N. Shivappa and K. Ramakrishna Reddy also recorded their votes for AYES.

**श्री हुकम चन्द कछवाय**

**सभापति महोदय** : मैं इस के बारे में हाउस की राय जान लूं ।

**श्री मधु लिमये** : क्या आप हर चीज के लिए वोट लेना चाहते है । आप इस को बिना बहस के पास कर दीजिए ।

**सभापति महोदय** . यह तो आप की मर्जी है ?

**श्री मधु लिमये**: मेरी सम्पत्ति नहीं है ।

**श्री हुकम चन्द कछवाय** : आप कल इस को रखिय । हम दो घटे और बैठे लेगे ।

MR. CHAIRMAN. I will put it to the House. You can decide what you like. As far as I am concerned, I will see the pleasure of the House. Is it the pleasure of the House that we sit till the Bill is passed?

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Yes, we will go on.

SHRI NOORUL HUDA (Cachar): There should be some time limit. We cannot go on like this.

MR. CHAIRMAN: I will take the sense of the House.

SHRI NOORUL HUDA: I do not know what transpired in the BAC. But there cannot be an indefinite sitting of this House till a Bill is passed.

MR. CHAIRMAN: That was the recommendation of the BAC.

SHRI NOORUL HUDA: We can sit till 9 O'Clock but not till midnight.

SHRI K. RAGHU RAMAIAH: Let me submit for the consideration of the House what happened in the Business Advisory Committee meeting. The Business Advisory Committee was apprised of the difficult situation in which we were placed that unless both these Bills were passed todsy—the House has been good enough to pass one of them—there would not be enough time for these Bills to be passed by the Rajya Sabha so that by 1st September, they must receive the President's assent. I explained broadly the urgency of passing these Bills to the Business Advisory Committee and the Business Advisory Committee agreed—I am grateful to them—to sit as late as necessary to pass these two Bills. There was no time-limit fixed. They were good enough to agree to that unanimously when I explained it to them.

I appeal to the Opposition leaders here to please cooperate. This is a very exceptional request to which all are committed Please help.

MR. CHAIRMAN: Let us try to expedite it I will cooperate with you in expediting it.

**श्री हुकम चन्द कछवाय** : सभापति जी, आप मेरा निवेदन सुन लें । मधु लिमये जी ने एक प्रस्ताव रखा है कि बिना बहस के इस को पास कर दिया जाय, इस को मान लीजिए ।

**सभापति महोदय** · नहीं, ऐसा किसी ने प्रस्ताव नहीं रखा है ।

(व्यवधान)

SHRI MADHU LIMAYE: I move:

"This House disapproves of the Compulsory Deposit Scheme (Income-tax Payers) Ordinance, 1974 (Ordinance No. 10 of 1974) promulgated by the President on the 17th July, 1074."

**सभापति महोदय** हालांकि अच्छा होता अगर कल हम लोग इस को लेते लेकिन मैं इस पर अब जिद् नहीं करना चाहता हूं । मेरी राय में इस अध्य देश को इस सदन को अस्वीकार करना चाहिए । इस का कारण यह है कि इस अध्यादेश में मुझे कोई बुद्धिमानी की झलक नहीं दिखाई दे

रही है। कोई ऐसा अविलम्बनीय मामला नहीं था कि जिस को लेकर यह अध्यादेश जारी करना चाहिए था।

20.44 hrs.

[SHRI DINESH CHANDRA GOSWAMI in the Chair]

अगर अध्यादेश की जगह पर विधेयक ले आते, जल्दबाजी नहीं करते तो कोई आसमान नहीं फटने वाला था। लेकिन एक आभास वह पैदा करना चाहते हैं कि समाज के सभी वर्गों के साथ हम लोग न्याय कर रहे हैं या अन्याय कर रहे हैं। यह एक आभास उत्पन्न करना चाहते थे। इसलिए जब 1 करोड़ 80 लाख मजदूरों की आमदनी पर इन्होंने डाका डाला तो इन्होंने यह आवश्यक समझा कि जिन की आमदनी 15 हजार रुपये सालाना से अधिक है उन के ऊपर भी कुछ रोक या नियंत्रण लगना चाहिए और इसी उद्देश्य से घोषणा कर के यह अध्यादेश जारी किया गया है।

सब से पहला आक्षेप इस अध्यादेश के खिलाफ मेरा यह है कि इस से सिर्फ प्रशासकीय खर्चा बढ़ने वाला है। आप ने स्वयं वित्तीय मेमोरेंडम में कहा है कि 61 लाख रुपया रेकरिंग एक्सपेंडीचर होगा। यानी हर साल इतना रुपया आप इनकम के ऊपर प्रशासन के ऊपर खर्च करने जा रहे हैं और 6 लाख रुपया आप का नान-रेकरिंग एक्सपेंडीचर, यानी कार्यालय दफ्तर इत्यादि के ऊपर और यह योजना तकरीबन 7 साल चलेगी। सात साल तक आप को प्रशासकीय खर्चा करना पड़ेगा और जिस तरह एडीशनल एमाल्यूमेंट्स के अतिरिक्त कार्य का बोझा आप ने सारा पार्लियामेंट पर डाला, इस को आप ने इनकम टैक्स के अफसरों पर डाला है। वैसे ही सभी लोग जानते हैं कि इनकम टैक्स अफसरों के ऊपर स्वयं इन दिनों में जो काम का बोझा है वह बहुत ज्यादा है और ऐसी हालत में एक नया बोझा, नई जिम्मेदारी उन के ऊपर आप लादने जा रहे हैं। इस में वह अपना काम ठीक ढंग से नहीं कर पाएंगे। इस वक्त इस देश को जरूरत इस बात की है कि जो लोग आज इनकम टैक्स नहीं दे रहे हैं, जो सम्पत्ति कर नहीं दे रहे हैं, गिफ्ट टैक्स नहीं दे रहे हैं उन लोगों को, कर की चोरी करने वाले लोगों को कर योजना के जाल में कैसे लाया जाय। यह एक प्रमुख काम इनकम टैक्स अफसरों का होना चाहिए लेकिन वह काम अब वे कर नहीं पाएंगे क्यों कि नई जिम्मेदारी आप ने उन के ऊपर लादी है। तो प्रशासकीय खर्चा इस में बढ़ेगा यह मुझे इस के खिलाफ आपत्ति करने है और इस में जो नये कर्मचारी आदि लग जाएंगे बाद में सब तरह के दबाव आएंगे और सात साल के बाद आप उन को हटा नहीं पाएंगे क्यों कि कायम पार्टी के सदस्यों के द्वारा विरोध-पक्ष के सदस्यों के द्वारा दबाव आएंगे, बाहर के दबाव आएंगे। जो एक दफा सरकारी नौकरी में आ जाता है उस का निकालना मानवीयता की दृष्टि से भी कितना मुश्किल है, आप जानते हैं। इसलिए हर ऐसे प्रस्ताव का मैं विरोध करता हूं जिस से अनुत्पादक प्रशासकीय खर्चा बढ़े और आप की योजना का यही सब से बड़ा दोष है। इन की योजना और यही थी कि जिन की आमदनी 15 हजार वार्षिक से अधिक है वे अपनी आमदनी का एक हिस्सा खर्च करने के बजाय जमा कर के रख तो कई दूसरे उपाय इन के पास थे जिन का इस्तेमाल वे कर सकते थे और इसी उद्देश्य को हासिल कर सकते थे। अब इन का जो कहना है कि इस से मनी सप्लाई कम होगी तो वित्त मंत्री महोदय इस के ऊपर भी सोचें। एक मान लीजिए जिन की आमदनी 15 हजार से अधिक है उन्होंने अपना कुछ पैसा टाइम डिपाजिट के रूप में बैंक में रखा है—आज उस का मुख्य आकर्षण क्या है कि बैंक में जो उन को ब्याज मिलता है इनकम टैक्स असेसमेंट के समय आप उसको

[ श्री मधु लिमये ]

अलग कर देने हैं,3000 रुपये तक डिडक्शन मिलता है । तो जिन का 6 महीने का, एक साल का या तीन साल का टाइम डिपाजिट होगा वे लोग क्या करेंगे कि वे अपना टाइम डिपाजिट निकालेंगे और उस को खर्च करना शुरू कर देंगे क्यों कि कुछ हिस्सा तो उन का इस योजना के तहतकटने वाला है और इस मे उनका फायदा भी होगा कि 6 महीने के डिपाजिट पर रेट आफ इंटेरेस्ट कम है और आप की योजना में रेट आफ इंटरेस्ट ज्यादा मिलने वाला है । तो कौन सा उद्देश्य इससे हासिल होने वाला है ? और मुझे सरकार के कुछ सेक्रेटरीज ने कहा है कि यह तो एकदम मूर्खता पूर्ण सुझाव है । उन्होंने कहा कि हमी लोग अपना खर्चा नही घटाने वाले है क्यों कि जब दाम बढ़े हैं तो खर्चा तो करना ही पड़ेगा । मैं ने पूछा कि कैसे करेंगे तो कहा कि जो बैंकों मे 6 महीने या साल का डिपाजिट है जिस के ऊपर ब्याज कम मिलना है वह विदड्रा कर लेंगे और वह खर्च करना शुरु करेंगे और इस में जो कटेगा उस पर ब्याज और टैक्स डिडक्शन तो हमें मिलेगा ही । तो मुख्य उद्देश्य जो इस का है वह विफल होने वाला है और यह जो आप के सेक्रेटरीज हैं, सचिव लोग मे उन मे से दो तीन लोगों ने मुझे से कहा कि यह बिलकुल मूर्खतापूर्ण सुझाव है ।...(व्यवधान)... मै अधिक समय नहीं लेना चाहता ।

अब मैं दूसरा मुद्दा लेता हूं । तकरीबन चार साढ़े चार लाख लोग है जो इस में आएंगे । वर्तमान जो इनकम टैक्स पेयर्स है जिन की आमदनी 15 हजार से अधिक है, आपके आंकडे जो मुझे उपलब्ध हुए है उन से लगत है कि लगभग साढ़े चार लाख इनकम टैक्स पेयर्स इस मे आते है और इतने लोगो के लिए जो आप 67 लाख रूपये का खर्चा कर रहे है इस की कोई आवश्यकता नहीं है । मैं ऐसे रास्ते बता रहा हूं–अगर सरकार इन्डेक्स नम्बर के साथ जुड़े हुए बांडस को ही फ्लोट करे, मैं साधारण बचत की बात नहीं कर रहा हूं, अगर इन्डेक्सड बांड को सरकार फ्लोट करे तो इतना पैसा सरकार को मिल सकता है । उस के ऊपर आप पांच या छः प्रतिशत या उससे भी कम रेट आफ इंटरेस्ट लगाइए, आप को बहुत सारा पैसा मिल जायेगा, लेकिन वह भी करने के लिये आप तैयार नहीं हैं । ऐसी हालत में मेरी राय है कि यह जो आप की अनिवार्य जमा योजना हैं, इस का कोई अच्छा नतीजा नहीं निकलेगा, यह केवल नाटक है, स्वांग है इसे किस लिये रचा गया है ? जो एडीशनल इमाल्यूमेन्टस (कम्पलसरी डिपाजिट) बिल है उस को शुगर कोट करने के लिये इसे लाया गया है । तो मैं निवेदन करना चाहता हू कि अर्थनीति और राजनीति इस धोखाधड़ी से चलने वाली नही है । मुद्रास्फिति और दामवृद्धि का सवाल बहुत गम्भीर सवाल है, इस को गहराई में जा कर विचार करना चाहिये और उत्पादन को बढ़ाने के लिये आप को प्रयास करना चाहिये । लेकिन उत्पादन बढाने की दृष्टि से किसी तरह का प्रयास नही हो रहा है ।

मैं ज्यादा समय नही लेना चाहता हू– ऐसी बहुत सारी योजनायें हैं, बिजली की योजनायें है, सिचाई की योजनाये है, आप के अनिर्णय के चलते उन पर कार्यवाही नहीं हो रही है । आप का ब्यास प्रोजेक्ट है, नर्मदा प्राजेक्ट है, ऐसे पचासो प्राजक्टस के नाम ले सकता हं, कम से कम काम तो चालू कीजिये, राज्यों के विवाद चलते रहेगे । लेकिन उत्पादन की ओर ध्यान नहीं है और ये बोगस योजनायें बनति चले जा रहे हैं केवल आभास उत्पन्न करने के लिये कि सरकार सामाजिक न्यायकी भावना से प्रेरित है, लेकिन इन का कोई नतीजा निकलने वाला नही है । इस लिये मेरी प्रार्थना कि सरकार इस को वापस ले ।

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): Sir,....

श्री मधु लिमये : सभापति जी, देखिये, यही एडवान्टेज होता है—वित्त मंत्रीजी, कैबिनेट रैंक के, चले गये, आराम के लिये । क्या हम लोगों को भी कोई सब्सटीचूट मिलेगा जो मधु लिमये की जगह रेजोल्यूशन पर भाषण करे ।

MR. CHAIRMAN: If you come to the other side sometimes you will get that advantage.

Resolution moved:

"This House disapproves of the Compulsory Deposit Scheme (Income-Tax Payers) Ordinance, 1974 (Ordinance No. 10 of 1974) promulgated by the President on the 17th July, 1974."

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): On behalf of Shri Yeshwantrao Chavan, I beg to move*:

"That the Bill to provide, in the interest of national economic development, for compulsory deposit by certain classes of income-tax payers and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto, be taken into consideration".

Sir, this short Bill seeks to replace, with some minor modifications, the Compulsory Deposit Scheme (Income-tax Payers) Ordinance, 1974 which was promulgated by the President on the 17th July, 1974.

The Circumstances which necessaitated immediate legislation by the Ordinance have been explained in a statement placed on the Table of the House. I do not, therefore, propose to go into these reasons and shall only explain the provisions of the Bill and the rationale behind them.

Inflation today constitutes the biggest single problem facing the country. Government has taken a number of measures in order to deal urgently and effectively with the mounting pressure of inflation. One of these measures is proposed to be implemented through this Bill.

Under the provisions of the Bill, certain classes of income-tax payers in the higher income brackets will be required to deposit with the Government a portion of their income during the current financial year and the financial year 1975-76. The deposits will be required to be made by income-tax payers who are individuals, Hindu undivided families or trustees of private discretionary trusts in cases where the aggregate of their "total income" and "net agricultural income", if any, exceeds Rs. 15,000. For this purpose, the "total income" of the depositor will be computed in accordance with the provisions of the Income-tax Act after taking into account various exemptions and deductions allowable under the law. Similarly, "net agricultural income" will be computed after allowing deductions in respect of expenses, etc. as provided in the rules for the computation of such income contained in the Finance Act of the relevant year. The deposit will have to be made at the rate of 4 per cent. of the aggregate income up to Rs. 25,000 *plus* 6 per cent. of the aggregate income in the slab of Rs. 25,000 to Rs. 70,000 and 8 per cent. of the balance.

In the case of taxpayers required to pay advance tax under the Income-tax Act in relation to the relevant assessment year, the compulsory deposit will have to be made during the financial year preceding the assessment year with reference to the aggregate income of the taxpayer which forms the basis for payment of advance tax for that assessment year. In the case of other taxpayers, who are not required to pay advance tax, compulsory deposits will have to be made on the basis of their estimated total income as in-

*Moved with the recommendation of the President.

[Shri K R. Ganesh]

creased by their net agricultural income assessable for the assessment year.

In the case of persons required to pay advance tax, the deposits will have to be made on or before the date on which the last instalment of advance tax falls due. The due date for payment will thus be either 15th December or 15th March of the relevant financial year, depending upon whether the account year of the taxpayer in respect of his main source of income ends before 1st January of the relevant financial year or on or after that date. In the case of persons not liable to pay advance tax, the deposit will have to be made by the end of the relevant financial year. The depositors will, however, have the option to make the deposit in one sum or in instalments of their choice before the expiry of the due date.

Under the provisions of the Additional Emoluments (Compulsory Deposit) Bill, 1974, which has already been passed by this House, the entire increase in salary and one-half of the additional dearness allowance received by salary earners, including those with income exceeding Rs. 15,000, is liable to be deposited with the Government. With a view to avoiding hardship arising from the requirement of making a deposit with reference to the same income under the two Bills, it is proposed to provide that the amount deposited by salaried taxpayers under the Additional Emoluments (Compulsory Deposit) Bill will be set off against the deposits required to be made by them under this Bill.

The deposits made by taxpayers will carry simple interest at a rate equal to the maximum bank deposit rate which currently stands at 10 per cent. per annum. The interest paid on the deposits will be included in the categories of income which qualify for exemption from income-tax up to Rs. 3,000 in a year under section 80L of the Income-tax Act. The amount deposited by a person will be repaid in five annual instalments commencing from the expiry of two years from the end of the financial year in which the deposit is made, together with interest due thereon.

Persons making compulsory deposits will be required to send proof of the deposit to the Income-tax Officer. Where there is a default in making the compulsory deposit, the defaulter will be liable to a penalty equal to 25 per cent. of the amount of the deposit remaining unpaid. Arrears of compulsory deposits will be recovered by the Income-tax Officer as if they were arrears of income-tax.

The Bill also seeks to provide for certain procedural or ancillary matters which had not been provided for in the Compulsory Deposit Scheme (Income-tax Payers) Ordinance, 1974. These include rectification of mistakes apparent from record, rounding off of income to the nearest multiple of ten rupees, prescription of time limit of thirty-five days for making deposits in cases where deposits are required to be made in pursuance of an order by the Income-tax Officer.

Sir, the provisions of the Bill are quite simple and non-controversial and I hope that it will receive the unanimous support of this House Sir, I move.

MR. CHAIRMAN: Motion moved:

"That the Bill to provide, in the interest of national economic development, for compulsory deposit by certain classes of income-tax payers and for the framing of a scheme in relation thereto, and for matters connected therewith or incidental thereto, be taken into consideration."

The Statutory Resolution and the Bill are before the House

SHRI NOORUL HUDA (Cachar): Sir, I rise to oppose this Bill. The Government, led by our Prime Minister, Madam, Indira Gandhi, is never tired of declaring that our country is

taking the path of socialism and that we have been faced with an unprecedented inflation in our country. So, these measures announced by the Finance Minister are measures to tackle the inflationary trends which have crept into our economy.

**21 hrs.**

Sir, is the Government really thinking or serious about tackling this inflation in the country? Only a few months back, in the month of February or so, when the Finance Minister presented the budget. At that time he had reduced the rate of income-tax from 90 per cent to 70 per cent and also at that time Mr. Chavan had announced on the Floor of the House that that was the measure which would reduce tax evasion and it has been calculated later on that at least Rs. 100 to Rs. 125 crores have been exempted to the big taxpayers. This Bill which is named as Compulsory Deposit Scheme (Income-tax Payers) Bill, if it is implemented fully even then it can mop resources to the extent of not exceeding Rs. 50 crores. Only seven months back the Finance Minister had exempted Rs. 100 crores to Rs. 125 crores to the big tax-payers and now seven months later they had come up with a declaration that high salaried people would be able to make some sacrifices and people whose salary would be exceeding Rs. 15,000 they would be able to pay certain amount of money to the Government exchequer to be deposited with the banks and they would be returned these deposits after a year or two. That is why we from the Opposition side fought against such measures. Only a few minutes back the House passed despite opposition the Additional Emoluments (Compulsory Deposit) Bill. At that time also the Opposition Members had fought tooth and nail in the interest of the working class and they had said these measures are not seriously directed towards tackling the inflationary trends in our economy.

What do we see today? We see the last vestiges of planning have disappeared from our economy and our economy has been left to manage itself as a free enterprise market system. This is very clear in spite of our loud talks of socialism and promises to curb monopolistic profits and promise to socialise urban income and also curb the influence of landlords over the whole country, the economic measures which have been followed by this Government since 1947 are clear enough as to the direction which we are following. This is the path of capitalist planning. This is the path where the landlords and the big monopolists have total control over the economy.

It may mean repetition, but we must say that the Wanchoo Committee had said about three or five years back that there was at least Rs. 10,000 crores of black money operating in this country. There is no ordinance and no Bill to check that There are no measures to curb the operation of such black money in our country. Had the Government been serious enough to tackle the inflationary trend, had the Government been sincere enough to tackle the situation in which we find ourselves and in which our economy finds itself today, we would have definitely supported the measures of the Government despite our deep and basic differences which we have got. But the Government's policy is not directed towards curbing the influence and control of the monopolists.

In the Bangalore speech of the Prime Minister, which has been quoted in this House, and in the speeches of many of our leaders like Shri Chavan and other governmental leaders and Congress leaders, we find statements to the effect that we have failed to accelerate production and we have failed to prevent the distortions in our economy, and these failures of the Government have led to continuous inflation.

Inflation has been so much that today we find ourselves following the footsteps of Chiang Kai-shek's China. You will remember that prior to 1949, during the years 1946, 1947 and 1948,

[Shri Noorul Huda]

the same conditions were obtaining in China during Chiang-Kai-shek's regime. The real wages of the working class had been reduced to a mockery and the value of their yen and dollar etc. had gone down so much that people used to take paper money to the market but they could not buy any worth-while material or commodity from the market with that paper money. The same conditions are gradually coming to our country. Black money operates to the detriment of the purchasing power of the working class. The purchasing power of the working class and the middle class has been reduced to a farce. That is the position in which we find ourselves today.

We know that people who are drawing Rs. 2000 or Rs. 2500 or Rs. 3000 or more p.m. might be able to save something and make some sacrifice. But that amount of sacrifice would not at all the adequate or sufficient to curb inflationary trends. Against such huge stock of black money, Rs. 450 crores from the working class, Rs. 50 crores by way of dividends from the industrialists and shareholders and about Rs. 50 or 60 crores or 70 crores from these high-salaried people is not going to tackle the inflationary trend. We do not know how this is possible. It beats our imagination.

We will see that the compulsory deposit scheme for the higher income groups has been calculated on the basis of the revealed incomes of the taxpayers. But what about the unrevealed income? And what are you going to do with it? The revealed income is only a very small fraction. But what about the incomes which do not see the light of day, which are being cornered away by the taxpayers? These are questions agitating the minds of the Opposition parties, the middle classes and even a section of the upper middle classes who are drawing salaries of Rs. 15,000 or a little more per annum.

I would say that the Government led by our Prime Minister are not at all sincere and serious about tackling inflation which has hit our economy for the last few years and the extent of which is increasing day by day. Again and again we have declared on the floor of the House that unless you curb the monopolists profits, unless you unearth black money from the big industrialists and other speculators, unless you find out measures to help the poor working class, the farmers, peasants and the downtrodden people, unless you enlist their co-operation and assistance in controlling inflation, unless you satisfy the working class and the working people, unless you can give two square meals a day to the downtrodden people who are starving all over the country, these half-hearted and piecemeal measures are not going to curb inflation in any way. The Government is totally under the bidding of the hoarders, blackmarketeers and big monopolists. We therefore totally oppose the Bill and say it should be withdrawn altogether.

SHRI S. M. BANERJEE (Kanpur): At the outset, since it has been decided that we shall not go home till the Bill is passed, I would request to give me adequate time to speak on it.

First of all, I would request your permission to read the entire Bill, because many members have not read it, and after doing that I will take up each clause and say why I am opposing it.

Generally speaking, this Bill has been brought to give a cover to the previous Bill which this House passed despite all our constitutional, legal, moral and other objections, to give a feeling to the country that Government has not only asked the low paid employees to save some money at the cost of starvation of their children but is also asking those who are getting Rs. 15,000 and above to pay something for the sake of the country to fight inflation. Sir, if you go through the Statement of Objects and Reasons,

you will find that the same old hackneyd arguments are being repeated. Sir, inflation has assumed alarming proportions and the working class and other sections of the people are the worst hit. You can imagine their condition. Sir, the Government which has been in power during the last 27 years, unabated and unchecked not only in the Centre, but in most of the States, has not been able to check the prices or give two square meals to the ordinary people, the common people and the workers. Now, Sir, they want to create a feeling in the country that they are very sincere to attack inflation, to control inflation, and for this, certain measures have been taken and one of the measures is.... ....

Sir, kindly bring the House to order.

MR. CHAIRMAN: Order please. Minister of Parliamentary Affairs, there has been a complaint of lack of order and I hope you will see that there is order in the House.

SHRI S. M. BANERJEE: Therefore, Sir, I would like to oppose this Bill on two or three grounds. Firstly, as ably pointed out by my friend Mr. Madhu Limaye, what is going to be the expenditure? If you consider the Financial Memorandum, we find that the expenditure is as follows: Recurring Expenditure—Pay and allowances of Officers—Rs. 15 lakhs; Pay and Allowances of the staff—Rs. 23 lakhs; Incidental expenditure including transport charges—Rs. 13 lakhs, Accommodation for Officers—Rs. 10 lakhs; total—Rs. 61 lakhs; and Non-recurring expenditure—Furniture, Office equipment etc. Rs. 6 lakhs. This is their economy. They want to spend Rs. 67 lakhs. I do not mind if certain employees are provided jobs or promotions. But, what will happen? Already, the income tax officials, the ITOs and others, are fully engaged in other work. The income tax arrears is increasing every year. Today, according to the figures given in the House in reply to many questions, it has crossed the figure of nearly Rs. 600 crores. This is the position in regard to income tax arrears. Then, Sir, there is income tax evasion.—I am not talking of arrears only, I am talking of evasion. Evasion is to the tune of more than Rs. 1200 crores. According to the assessment made by Mr. Wanchoo, in his interim report, black money is to the tune of Rs. 7000 crores. Now, it would have increased to Rs. 10,000 or Rs. 11,000 crores. The same staff who are responsible for the implementation of the provisions of Income Tax Act, Wealth Tax Act, Gift Tax Act etc. will now be fully engaged for collection of these taxes. I can understand that in regard to those people who are salaried employees, deductions will be made at the source. But, what will happen to the lawyers and doctors? I am yet to see a lawyer—of course, Mr. Setalvad—he is dead—never accepted his fee except in cheques—who accept payment in cheque. Sir, most of the lawyers, 90 per cent of the lawyers, demand payment in cash; they do not accept cheques. How will you check that payment? In the present state of affairs, we may have to start suspecting that every man is a cheat unless he is proved otherwise; we may have to change our conception and start suspecting that every man is dishonest unless he is proved otherwise, though, Sir, the rule is every man is honest unless he is proved otherwise. Perhaps, Sir, we may have the French definition where they consider every man as a criminal unless he is proved otherwise. This will act as a detriment to the honest. Honesty will be confined only to a few. Criminals will be at large and they will do whatever they like. Instead of asking the poor people to deposit their hard earned money, Government could have said, "Those who declare their black money within 3 months or 6 months will be taxed only as per the ordinary rules and will not be fined." Then some black money could have been unearthed. In Italy they said, those who construct houses will not be taxed heavily, with the result in two years 1.76 lakhs tenements came into existence and they solved the housing problem. Now, who is going to unearth black money? In spite of the

[Shri S. M. Banerjee]

fact that a declaration was made by the Congress President that Congress MPs would declare their assets, it is a sorry commentary on their promises that even the first gentleman of this country has not declared his assets. In the name of compulsory deposit, we are depriving the poor people of Rs. 1.80 crores. Whom are we taxing? A sharp instrument is going to be given to the officials. They will go to the panwala or taxiwala and say, "you are working upto 3 A.M.; you must be earning more than Rs. 20,000. You must make your deposit." Genuine people are going to be taxed more and more. I assure you the tax-evaders will not be taxed further.

On principle we do not accept this compulsory deposit. They have not accepted the suggestion for demonetisation. I congratulate Mr. Ganesh for his statement that he would offer satyagraha before the smugglers' residences. These smugglers make more than Rs. 1 lakh per day in Bombay and they go scotfree by paying a handsome donation of Rs. 1 crore. This is something strange. You are going to tax those getting Rs. 400 or 500 or even 1200 which is also a meagre amount these days, but you will not go to the big houses like J & K houses or Birla houses. You will shudder to go there. They will tax only the small businessmen and salaried employees with limited income. That is why I say that we should not allow this Bill to be passed.

I would request Shri Ganesh to tell us what amount they are going to make out of this Bill. On the face of recurring expenses of Rs. 61 lakhs and non-recurring expenses of Rs. 6 lakhs, making a total of Rs. 67 lakhs, what is the return that they are expecting. I am doubtful whether even Rs. 1 crores would be realised within a year.

SHRI VIKRAM MAHAJAN (Kangra): Nothing will be realised. It will be kept in deposit to the credit of these people.

SHRI S. M. BANERJEE: What will be the value of money at that time? Now the value of money is 29 paise. After seven years there may not be any value at all. It may be reduced to five paise. I support the contention of Shri Huda. The conditions will reach what happened in China during the regime of Chiang Kai Sheik when people had to carry so much of notes even to have a cup of tea or one meal. So, I would request the Minister to kindly tell us what is going to be the return. I say that this Bill and the Bill for limitation on dividend have been brought in only to cover the sinister designs of the Government.

With these words, I oppose the Bill and I would say that people in high positions, including the President, should declare their assets.

श्री भारत सिंह चौहान (धार) : सभापति महोदय, मैं इस बिल का विरोध करने के लिए खडा हुआ हूं। ऐसा लगता है कि यह गवर्नमेंट टैक्स लगाने मे और आर्थिक सवालो को हल करने में दिशाहीन हो चुकी है। यहां अनुभव की पुरानी बात मैं आप को याद दिलाना चाहता हूं, इतिहास की बात याद दिलाना चाहता हूं कि इस गवर्नमेंट की नीति और नियत इस ढग की हो गई है जैसा कि औरंगजेब के जमाने में थी। औरंगजेब जिस वक्त राज्य करता था, तो वह पैसा इक्ट्ठा करने के लिए कुछ बहाने बना कर जजिया टैक्स लगाता था। उसी तरह से यह जो काला कानून है, यह जजिया टैक्स जैसा है और औरंगजेब के उस टैक्स से भी भयंकर चीज है। ये बताते हैं कि हम निर्बलों के हित में यह कानून लाए है, लेकिन इन के दिल में यह बात नहीं है। इन की बुद्धि और अक्ल का दिवाला निकल चुका है। इन की गलत नीतियो के कारण ही देश की यह आर्थिक

दशा हो गई और देश की जनता के आर्थिक जीवन को गिरावट की ओर ले जा रही है। अपने पापों को ढकने के लिए ये कुछ ऐसे गलत कानून सामने ला रहे हैं। आप ताज्जुब करेंगे कि इन्होंने अपने उद्देश्य और शासन में बतलाया है कि इस वक्त में एक संकट मुद्रा स्फीति के कारण आया है। तो यह मुद्रा स्फीति इन के कामों से हो, इन के पापों से ही तो पैदा हुई है और उस को किसी तरह से ढकने के लिये ये एक दिशाहीन होकर जनता को लूटने की ओर अपने पापों की छिपाने की कोशिश कर रहे है। उस के लिए यह कानून ये लाए हैं। इन्होंने इस में खर्चा बतलाया है। मुझे तो बडा ताज्जुब होता है कि इस शासन का दिवाला किस तरह से हो गया कि कहते है कि इस मे 61 लाख रुपये खर्च होगा। इस तरह से ये सदाव्रत खोल कर अपने चमचों को जगह दिलाने के लिए ऐसा काम कर रहे हैं। उस के लिए यह मठ खोल कर अपने चमचों का उस में पालन करने के लिए और सदाव्रत के लिए लुटाने के लिए इस काले कानून को लाए है। मैं साफ कहना चाहता हूं कि यह बिल जो इन्होंने रखा है 15 हजार की इनकम के बारे में उस का परिणाम क्या होगा कि इस देश में आदिवासी और हरिजन जो करोडों की तादाद में है और अब वह कुछ सोचने लगे है, अपने नागरिक जीवन को बिताने के लिए कुछ समझदारी से अपना पैसा इकट्ठा कर के अच्छे ढग से जीवन बिताना चाहते हैं, इस बिल से वे काफी प्रभावित होने वाले है और रिश्वतखोरी इस से बढेगी। इस से भयंकर रिश्वतखोरी बढेगी। वे लोग जो करोड़ों की तादाद में हैं आप की नौकरशाही के भयंकर रूप में शिकार होने वाले हैं। यह ऐसा बतलाते हैं कि हम उन के हित के लिए उन के फायदे के लिए, उन को आम जनता के बराबर करने के लिए ऐसा विधेयक लाए हैं लेकिन यह स्पष्ट है कि यह धोखा है। इस बिल के जरिए वे बुरी तरह से प्रभावित होंगे। हम रात दिन अनुभव करते है कि ये नये नये मठ खोल कर नया नया सदाव्रत चला कर अपने लोगों को उस में भरते हैं। कई ऐसे विभाग है जो नाम मात्र के लिए हैं, जिस उद्देश्य के लिए उन्हें स्थापित किया गया था वह उद्देश्य उन से पूरा नही होता। उन को रखने की कोई आवश्यकता नहीं है। लेकिन इन में साहस नही है, हिम्मत नही है कि जो गलत कदम उठाते है उन को रोकें मैं ऐसे तरीके बता सकता हूं जिस में करोड़ों रुपये इन के बच सकते है। मैं ने पिछली दफा कहा कि जिस उद्देश्य से आप किसी काम को कर रहे है और उस पर पैसा खर्च कर रहे हैं वह उद्देश्य पूरा नहीं होता तो उस काम को बन्द क्यों कर देते? यह मिनिमम और मैं क्सिकम की जो स्कीमें है, यह जो कन्फयूजन में डाल रखा है देश को उस से हम भयकर गिरावट की तरफ जा रहे है। 74-75 मे 50 करोड़ ये ब्याज दे देगे तो यह दिवाला नही है तो क्या है? कहते हैं कि हम इस के जरिए इतने का सेविंग करेंगे। 74 में बताते है कि इतना ब्याज देगे, फिर 75 और 76 में इतना ब्याज देंगे, आगे फिर इसी तरह से देना पड़ेगा और जो खर्चा डिपार्टमेंट करेगा वह कुल मिला कर 61 लाख रूपये होगा। ना यह कोई अक्लमंदी की बात नही हुई। इस तरह के काले कानून को ला कर वे यह बतलाते हैं कि हम केवल जनता के हित के लिए यह बिल ला रहे हैं। इस में कोई भी समझदारी की बात नही दिखाई देती। इसलिए इसको इन्हे बिल वापस लेना चाहिए और समझदारी से काम करना चाहिए अगर कोई इन को ठीक तरह से ऐडवाइज नही करता है तो इन को कुछ विशेषज्ञ लोगो से सलाह लेनी चाहिए और अपनी इस गलत नीति को बदलना चाहिए, तभी हमारा उद्धार हो सकता है। नहीं तो इस काले कानून से कतई कोई फायदा नहीं होगा। अगर ये चाहें तो मैं बैठ कर इन्हें कंविस कर सकता हूं कि इस कानून से कोई फायदा नहीं होने वाला है। इसलिए इस बिल का मैं डटकर विरोध करना चाहता हूं।

SHRI P. M. MEHTA (Bhavnagar): Mr. Chairman, Sir, this inflation has not developed overnight. This is the result of the wrong economic policies of the Government. As early as 1972 the Finance Minister, while presenting the Budget, said in this House that there existed a parallel economy i.e., the economy of black market, but the country has yet to see adequate measures being taken by the Government to curb the black money. It is beyond their reach. The existence of black money is the most important reason for the inflation. This black money is the hub of their political machine; their political mechanism has a bearing on this black money. Government has not yet taken any strong measures to curb the black money. On the contrary they are using the black money for their political purposes. They organised the youth rally. How was that organized? It was organized only out of black money. (*Interruptions*) As I was saying, Government have not taken any sound or strong measures to curb the black money This is the root cause of inflation. Now they are making futile exercises by introducing these Ordinances. It has been pointed out, very rightly that this measure has been brought only to cover the previous anti-labour Bill. They claim that it is an anti-inflationary measure, but it is not going to serve that purpose at all.

There is complete disorder and dislocation in the economic activities. The production has been paralysed since long and Government are not taking any measures to boost up the production. The agricultural production has declined, the industrial production has declined the growth rate has declined from seven per cent in the year 1960-61 to 1.7 per cent in 1971-72 and further declined to zero level in 1973-74. What were you doing all these years? Now you have come forward with these Ordinances trying to show to the people that you are very sincere in controlling inflation. All these are absolutely futile exercises and they are bound to fail. They have declared all these Ordinances as a package deal. But I do not know how the objectives will be achieved by these Ordinances. You are bound to fail, in achieving the objective. You are not ready to implement the Wanchoo Committee's recommendations. You are not ready to demonetise and unearth black money and to control currency and economy. I would appeal to Government not to enter to such futile exercises but go into the root cause, to take appropriate steps and adequate measures to curb black money and control the economy. Thank you.

SHRI P. G. MAVALANKAR: (Ahmedabad): I find that none from the congress party is speaking either for or against this particular Bil. The fact that they are not participating....

सभापति महोदय : मौनम् सम्मति लक्षणम् ।

SHRI P. G. MAVALANKAR....is indicative of their desire to see that this Bill is passed as early as possible, so that only the opposition party will speak and the ruling party will resort to "rail-roading" as my friend Mr. Madhu Limaye has well described it. My first point is although this Bill looks fine on the face of it, will it really prove fruitful? As Mr. Madhu Limaye said, earlier the Government has tried to make appearance, clever appearance before the public that they are trying to get into their network all different types of people and asking each one of those sections of the critical community to make some sacrifice in the present situation of the economic condition of our country. But the question is whom are they asking to sacrifice. In the case of wage-earners, and people in the fixed-salary categories, these are the people who are just not able to sacrifice any more. And, yet, you are asking them to sacrifice! Now, Sir there are some people who pay income-tax honestly. They will pay their deposits honestly. But if you go on

legislating like this, even a small section of people who are fortunately still honest and patriotic and, law-abiding will be tempted to be dishonest and evade taxes. Is that the intention of the Government? That is my first question. It looks veryfine on the face of it but will the Bill achieve the purpose? Well, Sir, my major objection is this. Why should this measure be brought first in the form of an ordinance? This was issued in the early part of July Parliament was not in session. Was there any urgency about this particular subject matter? If this ordinance had not been issued and if this had come before the House in normal course through legislative enactment, would heavens have fallen? Why should the Government resort to this method of issuing an ordinance? Simply because they have got the power under the Constitution? The founding fathers of the Constitution did not envisage such a situation that the Government of the day—no matter to which party it belongs—would resort to such kinds of ordinances, exercise power by such types of frivolous measures in this kind of a light-hearted manner. An Ordinance has to be issued with regard to some serious matters and with regard to an urgent matter, and you must not treat this power lightly as Government has treated in this particular matter. They could have easily waited until Parliament met for the monsoon session on 22nd of July. They could have brought forward a regular and normal piece of legislation.

So, Sir, my objection is very valid and very sound on this ground that this Government has been increasingly in the habit of using Ordinance making powers. The most agonising part of it is this that not only the Ordinances are issued much ahead of the Parliament session, and even a little before the Parliament session, but sometimes, also—I fear and suspect—that Governent are waiting only for the session of Parliament to be over and as soon it is over, they start issuing a fresh crop of Ordinances!

Are we therefore reduuced to this situation that in Parliament we have merely to ratify what has been already done in the form of an Ordinance? This is my objection to this particular measure. They should not have used this Ordinance making power for this particular enactment.

Then, Sir, as I said a little while ago, by this Bill all income-tax payers in our country, like the professionals such as lawyers, doctors and other people will have to deposit because they will be earning more than Rs 15,000 or so per year. But, I would like to tell you one thing. Are these income-tax payers going to run away from the country? Or are they not going to pay income-tax at all? If they are going to pay the taxes if they are not going to run away from this country, and even if those who were already on your register and those who were paying taxes every year honestly and sincerely are alone to be burdened, why cannot you wait for Parliament session to commence? Please look at page 2 of the Bill. I refer you to clause 3(1). It says:

> "Subject to the provisions of this Act, the persons specified in subsection (2) shall be liable to make compulsory deposits for the assessment year commencing on the 1st day of April 1975 and the assessment year commencing on the 1st day of April, 1976."

So, why should all this be done by an Ordinance, when the actual operation of the deposit scheme is a long time ahead? There was no immediate hurry. Now my next question is? Was it necessary to further burdened the honest tax-payers? Recently a survey was conducted—I hope Shri Ganesh will correct me if I am wrong—by the government itself as to how many people in the metropolitan cities like Bombay, Calcutta, Madras, Delhi and other important cities like Ahmedabad Kanpur, Bangalore etc. are the professionals like lawyers, doctors, engineers, architects and others who are

[Shri P. G. Mavalankar]

evading taxes. I think that survey showed—this is what the press report says on which we rely—that quite a number of professionals are not paying any income-tax whatsoever.

So my point is this. When quite a majority of them are not paying income-tax at all, what are you going to do with them? With regard to the tax-dodgers who avoid payment of tax, you have done nothing at all. Then, why have you imposed a further burden only on those who are honest? Therefore I would like to ask Shri Ganesh and his senior colleague, Shri Chavan, what steps are the Government taking to catch these tax dodgers and to see and to ensure that those who evade taxes are first brought to books. They are not only evaders but they are the people who have all the black money—unaccounted money. What have you done with regard to them?

I would now come to the last point. Shri Chavan all along has been talking loudly and in an eulogistic manner about his package' proposals. But, has anything concrete been done and achieved so far? They have done one thing only and that is with regard to fixed wage-earners—salaried people—to the honest tax-payers, who are compelled to deposit. When Government claims to have packages, how is it that they have not been able to catch the remaining bigger fish? That is my final question and objection. Therefore, I feel that unless you catch the bigger fish and unless you are able to catch hold of those who evade wilfully and skilfully and deliberately the payment of taxes, all these measures, however useful and good measures they may be—they are indeed quite good in themselves—are not going to achieve the results that you expect to achieve.

Therefore, I want to conclude—I am afraid these recent measures though Shri Chavan may call them a "Package" and I won't call them so—are meaningless, and that Government will not be able to stop the inflation by these measures. I dare say that harsher than these and more realistic than these measures are still required to tackle this terrible and disastrous situation with which we are faced. It looks as if measures stronger than these measures, more realistic ones than these and more bold ones than those already brought forward by Government will be required. I hope that the Government will wake up before it is too late.

SHRI K. R. GANESH: Mr. Chairman, Sir, after the stormy debate on the other Bill which the House has passed I do not think there is very much left for me to add because the points that have been raised in this Bill have been raised in the other Bill as well as earlier when the Dividends Restriction Bill was before the House

There are only two or three points which I would like to mention. This is not a resource mobilisation measure It is not a tax. This is part of the package deal to impound a part of the earnings of various sections so that this phenomenon of excess money supply in our economy chasing few goods that are available is checked. This is the simple object of the Bill.

As far as the general question of inflation and the other steps taken is concerned it has been pointed out that this by itself is not going to contain the inflation. This is one of the strategy that the Government has taken. Other steps to contain inflation are: increase in production; keeping the budget deficit to a particular level; reducing the administrative expenditure and a stricter credit policy by the banks and the Reserve Bank. The whole has to be seen as an integrated approach to make an impact on this serious problem of inflationary pressure.

Sir, it has been pointed that this Bill will affect 6 lakh persons and im-

pound only Rs. 50 crores this year and Rs. 55 crores next year. As far as the question of administrative expenditure is concerned there will be administrative expenditure but it will not be that much.

SHRI P. G. MAVALANKAR: What will you do with this staff after two years? Can you throw them out?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH): Here is a question of trying to meet the inflationary pressure. For that certain steps have been taken What is going to happen to the additional staff after two or three years we will face it when the situation comes. I cannot vouch safe what is going to happen to the staff after two to three years. The usual question of black money, the Wanchoo Committee's recommendations and various other things has again been raised These matters have been discussed a number of times.

Then, hon. Members have asked whether it is a fact that a certain percentage of professionals are not paying taxes. We have said in Parliament that—special surveys are being made and a special drive has been undertaken to bring them into the tax net. As far as the basic problem of tax evasion is concerned, it is a very serious problem and other steps are being taken to have intensive scrutiny, to conduct raids, to have better intelligence, to have better administrative framework in which the smaller assessees are to be dealt with on summary assessment so that the staff is left to do intensive scrutiny of bigger cases. These points have been mentioned on various occasions

SHRI P. G. MAVALAKAR: What is the percentage of the professional people who do not pay taxes according to the survey recently conducted?

SHRI K. R. GANESH: I think I have indicated the figure. There is quite a percentage of such people. But there is one point there. Among those who do not pay taxes and who are not in the books, there may be some persons who do not have taxable income also; there may be some persons who are assessed at some other places and so on. But this is a problem in respect of which special surveys are being conducted.

With these words, I commend the Bill for the acceptance of the House.

**श्री मधु लिमये** (बांका) : अब तो मै पूरा भाषण करूगा, टाइम लिमिट का कोई सवाल नही है।

सभापति महोदय, मै मंत्री महोदय से उम्मीद कर रहा था कि वे अपने भाषण मे जो कालाधन है उसको निकालने के बारे में कोई ठोस सुझाव देंगे क्योकि जो इनकम टैक्स दे रहे है उन्ही लोगो की आमदनी का एक हिस्सा आप जमा करने जा रहे है। लेकिन जिनके पास काला धन है उसको निकालने का आपका क्या तरीका है? उस दिन वित्त विधेयक पर बोलते समय मैं ने यह अभियोग लगाया था कि पश्चिम बगाल मे जो रोलर मिल्स है उनके द्वारा पहले 80 रूपये प्रति टन मिलिंग मार्जिन था, जो उडीसा में भी था, अब श्री सिद्धार्थ शकर राय ने उसको ऊचा उठाया है और 200 रुपया प्रति टन कर दिया है। तो बगाल मे 120 रुपया प्रति टन अधिक मार्जिन मिलता है। 6 लाख टन अगर मिल जाएगा तो 7 करोड 20 लाख की अतिरिक्त आमदनी हो जाएगी। मेरा निश्चित मत है कि वह आमदनी म नही दिखाई जाएगी। ऐसे एक नही पचासो उदाहरण मै दे सकता हू लेकिन क्या आपकी यह जो कम्पलसरी डिपाजिट स्कीम है उसकी तहत इन टैक्स चोरो को पकड़ा जाएगा? नही पकडा जाएगा। जो इमानदारी से टैक्स देते है उन्ही को पकड़ने का यह बिल है। आपकी हिम्मत नही है कि आप मुख्य मंत्री और उनके रोलर मिल वाले साथियों को पकड सकें। आपकी हिम्मत नहीं

[ श्री मधु लिमये ]

है कि जो अफसर रिश्वत लेने वाले हैं उनको पकडे । आप यह काम नही कर सकेंगे । मैं यहा चिल्ला चिल्ला कर थक गया लेकिन आपके ऊपर कोई असर नही होता । (व्यवधान) हसिये लेकिन एक दिन रोने का भी समय आ जाएगा क्योकि अभी जो मैं बात कर रहा हू वह देश हित की कर रहा हू । कल हम लोगो ने सुन लिया चट्टोपाध्याय और राम निवास मिर्धा का जवाब, मारुति के बारे मे मेरे जो प्रश्न थे, जिनके उत्तर 12 महीने नही मिले, उनका सीधा सम्बन्ध काले धन से था । मैं ने कहा था कि मारुति के जो मेजर शेयरहोल्डर्स है इनमे से अधिकाश लोग ऐसे हैजिनके ऊपर या तो इनकम टैक्स की इक्वायरी चल रही है, एक्साइज ड्यूटि की इक्वायरी चल रही है, चोरी को लेकर या विदेशी मुद्रा सम्बन्धी जो कानून हैं उनके उल्लघन को लेकर केसेज चल रहे है और इसलिए आप यह सब जानकारी नही दे रहे है ? अगर वह काम ठीक ढग से होता तो 50 करोड से भी अधिक रकम उसमे मिल जाती और यह कानून लाने की जरूरत ही नही पडती । लेकिन आप कापडिया के खिलाफ ऐक्शन नही ले सकते है, आप मोहन कुमारीज के खिलाफ ऐक्शन नही ले सकते है, आप रोनक सिंह के खिलाफ ऐक्शन नही ले सकते है, क्योकि यह सब मारूति के शेयरहोल्डर्स हैं इसलिए आप ऐक्शन नही ले सकते है । 80 लोग है, जिन मे जिन्दल भी है । तो मारूती के जितने इन्वेस्टर्स है उन के खिलाफ कोई कार्यवाही नही हुई । अभी नेशनल रेयान का कब्जा कापडिया को दिया गया । अकेले केमिकल और रेयान को बेच कर आने वाले 6 महीनो मे 50 लाख रू० कैमिकल और रेयान के ऊपर वह कमाने वाला है जिस का कोई हिसाब किताब नही दिया जाएगा । माननीय पी० आर० दास मुशी गर्दन हिला रहे हैं । इस तरह अगर आप लोगो में सुधार हो जाए तो देश का भाग्य खुल जाएगा । जब तक काले धन के खिलाफ कडी कार्यवाही नही की जायेगी तब तक कुछ नही होगा ।

22 hrs.

उस दिन हमारे सदन मे स्मगलिंग के बारे मे चर्चा हुई और इन्होंने ऐसा सोचा कि कोई नया मामला रिवील कर रहे हैं । क्या नाम दिए है, यूसूफ पटेल, कूली मस्तान, बखिया बखिया के पास अपने डाक्स है । अगर अकेले बखिया को पकडेंगे तो वही आप को 50 करोड दे देगा । आप मेरे साथ चलिए और एक एक को मैं बताऊगा । आप जो एम० आर० पी०, बी० एस० एफ०, आर० पी० एफ० और इडस्ट्रियल सेक्योरिटी फोर्स को ले कर बिहार की जनता और लडको के खिलाफ लड रहे हैं उस के बजाए आप इन स्मगलर्स के खिलाफ क्यो नही लडते है ? मैं सब के नाम बताऊगा और जगह भी बताऊगा कि कहा रहते है । आप ने इसलिए सदन मे नाम लिया कि वह यहा से भाग जाए । आप नही पकडना चाहते थे । आप चाहते थे कि वह भाग जाए और उस के एजेन्टस यहा काम करे । अगर मै आरोप करू कि सरकार स्मगलर्स से मिली हुई है, तो कोई गलत न होगा ।

आज 21 सदस्यो का नाम आया है, हमारे मित्रो ने इन्कार किया है कि हमारे दस्तखत नही है । 1970 मे इसी सदन की बात है मैं ने एक दस्तावेज पेश किया था कि कानूनगो के बारे मे जो बिहार के गवर्नर थे । उन्होंने कूली मस्तान के लिए पासपोर्ट के लिए एक सिफारिशी पत्र दिया था, जैसे आज लाइसेंस के लिए सिफारिशी पत्र देने का आरोप लगाया गया है । उसी तरह से कूली मस्तान के बारे मे एक सिफारिशी पत्र श्री कानूनगो ने दिया था कि यह महान समाज सेवी आदमी है सरकार इनको पासपोर्ट क्यो नही दे रही है वहा उन के साथ अन्याय हो रहा है । (व्यवधान) पाटिल साहब ने टेलिफोन के लिए कहा था । लेकिन पासपोर्ट के लिए कानूनगो ने किया । जब वह दस्तावेज मैं ने यहां रखा तो सदन मे तहलका हुआ, और उस समय आप लोगो का ऐसा बहुमत नही था, जरा डरते थे । तो प्रधानमंत्री ने भी यहा आ कर कहा कि

इतना शोर क्यों हो रहा है? मैं कानूनगो साहब से पता लगाऊंगी कि क्या सचमुच, उन्होंने इस तरह का सिफारशी पत्र दिया है? एक अरसे तक मैं ने इंतजार किया, लेकिन जब कोई जवाब नहीं आया तो प्रधान मंत्री को मैं ने स्मरण पत्र दिया कि कानूनगो का कोई कोई जवाब आया है या नहीं? और तब जा कर प्रधानमंत्री ने मुझको लिखा कि गवर्नर कानूनगो कहते है कि यह हस्ताक्षर मेरे नहीं है, यह फोर्ज्ड सिगनेचर हैं। तो मेरे ऊपर एक माने में कानूनगो ने आरोप लगाया कि फोर्ज्ड डोकूमेंट मैं ने सभा के पटल पर रखा। तो मैं ने इस चुनौती को स्वीकार किया। मैं ने प्रधान मंत्री को लिखा कि आप कूली मस्तान के खिलाफ ऐक्शन लीजिए धारा 420 के अधीन कि फोर्जरी के आधार पर उन्होंने पासपोर्ट प्राप्त किया। तो पहले कानूनगो साहब तैयार नहीं थे, बारबार जोर देने के बाद वह चीफ प्रेसीडेंसी मैजिस्ट्रेट की अदालत मे जाते है। तीन साल तक मुकदमा चला और बाका के चुनाव के पहले उस का फैसला आया, और मैं ने विगत साल ऐप्रोप्रिएशन बिल पर बोलते हुए उल्लेख किया था, चीफ प्रैसीडेंसी मैजिस्ट्रेट ने अपने फ़ैसले मे कहा है कि कानूनगो एक अदभूत आदमी है, उन की गवाही का एक जुमेला नहीं था, आपने नाम को छोड कर जिस मे कम से कम एक असत्य वाक्य नहीं था, ऐसे लोगो को आप गवर्नर बनाते है, व्यापार मंत्री भी बनाते है। तो जैनुइन सिग्नेचर का मामला याद रखिये, कानूनगो ने इन्कार किया था और इन्कार के बाद तीस साल तक चीफ प्रेसीडेंसी मैजिस्ट्रेट की अदालत में मुकदमा चला और फैसला उन के खिलाफ गया और मैं विन्डीकेट हो गया। लेकिन कानूनगो के खिलाफ आप ने कोई ऐक्शन लिया? उन को जेल मे भेजा, सजा दी? आप ने कुछ नहीं किया। इसलिए जब यह अभियोग लगाया जाता है फला फला सदस्य के हस्ताक्षर है तो आप उस को मानने के लिए तैयार नहीं होते और कहा जाता है कि जैनुइन हस्ताक्षर नहीं है।

तो बात चल रही थी कूली मस्तान की, उन के बारे में जो दूसरा केस चल रहा था उस में वह छूट गया। और जब उस के बारे मे हम शिकायत करते है तो बम्बई का एक बड़ा पुलिस अधिकारी मुझ से कहता है कि आप हम को क्यो पूछते है। आप मुख्य मंत्री से पूछिये। महाराष्ट्र मंत्रिमंडल मे कई मंत्री ऐसे है जिन के बारे में मस्तान कहता है कि वह मेरी जेब मे है। और आप की बम्बई काग्रेस जो 1969 मे हुई थी उस के लिए मस्तान ने लाखों रुपया दिया था। क्या इन बात से वित्त मंत्री जी इन्कार कर सकते है।

अध्यक्ष महोदय, 1 500 करोड़ रू० विदेशी मुद्रा के रूप मे इस देश से बाहर चला जा रहा है मैं 150, 200 करोड रु० की फिगर्स से सहमत नहीं हू। और जब तक आप इस पर रोक नहीं लगायगे तो ऐडीशनल एमोल्यूमेंटस बिल, कम्पलसरी डिपौजिट बिल, डिविडेंट बिल, इन से कोई नतीजा नहीं निकलने वाला है। इसलिए यह बहुत ही वाहियात विधेयक है, रद्दी अध्यादेश है, और मैं आप लोगों से प्रार्थना करता हू कि इस समय 10, 15 मिनट हो रहे है, इस फालतू अध्यादेश और विधेयक को आप रद्दी की टोकरी मे फेंकिए।

MR. CHAIRMAN: I will put the Resolution to the House. The question is:

"This House disapproves of the Compulsory Deposit Scheme (income-tax payers) Ordinance, 1974 (Ordinance No. 10 of 1974) promulgated by the President on the 17th July 1974."

*The motion was negatived*

MR. CHAIRMAN: The question is:

"That the Bill to provide, in the interest of national economic development for compulsory deposit by certain classes of income-tax payers and for the framing of a scheme in

[Mr. Chairman]

relation thereto, and for matters connected therewith or incidental thereto to be taken into consideration."

*The motion was adopted.*

MR. CHAIRMAN: We will take up clause by clause consideration.

*Clause 2—(Definitions).*

SHRI JAGANNATHRAO JOSHI: I be to move*:

Page 2, line 4 *for* "compulsory deposit" *substitute* "deposit" (2)

Page 2 line 4, *for* "compulsory" *substitute* "voluntary" (3)

MR. CHAIRMAN: I shall now put amendments 2 and 3 to the House.

*Amendments Nos. 2 and 3 were put and negatived.*

MR. CHAIRMAN: The question is: "That clause 2 stand part of the Bill"

*The motion was adopted.*
*Clause 2 was added to the Bill.*

Clause 3—*Persons liable to make compulsory (Deposits).*

DR. LAXMINARAIN PANDEYA (Mandram): I beg to move*:

"Provided that any person as specified in sub-section (2) of this Section not wishing to avail of this scheme may opt out of the scheme by conveying his wish to the appropriate authority in writing." (4).

MR. CHAIRMAN: I shall put amendment No. 4 to the House

*Amendment No. 4 was put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 3 stand part of the Bill."

~~Page 2,—~~

~~after line 34 insert~~

*The motion was adopted.*

*Clause 3 was added to the Bill.*

New Clause 3A

MR. CHAIRMAN: There is an amendment for the insertion of *new clause 3A* through amendment No. 5

SHRI JAGANNATHRAO JOSHI (Shajapur): I beg to move*:

Page 2,—

*after* line 34, *insert*—

"3A. Nothing in this Act shall apply to such persons as have chosen to opt out of this scheme under proviso to section 3." (5)

MR. CHAIRMAN: I shall put amendment No. 5 to the House.

*Amendment No. 5 was put and negatived.*

Clause 4—(*Requirement as to Compulsory Deposit*)

MR. CHAIRMAN: There is Government amendment No. 6.

*Amendment made*:*

Page 3—

*after* line 9, *insert*—

"*Explanation.*—When any Central Act repeals and replaces (with or without any modification) the Additional Emoluments (Compulsory Deposit) Ordinance, 1974 (8 of 1974) the references to the said Ordinance in this sub-section shall be construed as references to such Central Act." (6)

*(Shri Yeshwantrao Chavan)*

*Amendment moved with the recommendation of the President.

MR. CHAIRMAN: The question is:

"That clause 4, as amended stand part of the Bill"

*The motion was adopted.*

*Clause 4, as amended was added to Bill.*

*Clauses 5 to 21 were added to the Bill.*

*The Schedule was added to the Bill.*

Clause 1—(*Short title, extent and commencement*).

SHRI JAGANNATH RAO JOSHI: I beg to move*:

Page 1, line 3,—

*for* "Compulsory" *substitute* "Voluntary" (1)

MR. CHAIRMAN: I will now put amendment No. 1 to Clause 1 to the vote of the House.

*Amendment No. 1 was put and negatived.*

MR. CHAIRMAN: The question is:

"That clause 1 stand part of the Bill"

*The motion was adopted.*

*Clause 1 was added to the Bill.*

*The Enacting Formula and the Title were added to the Bill.*

SHRI K. R. GANESH: I beg to move:

"That the Bill, as amended, be passed"

MR. CHAIRMAN: The question is:

"That the Bil as amended, be passed"

*The motion was adopted.*

MR. CHAIRMAN: We will now adjourn....

SHRI SHYAMNANDAN MISHRA (Begusarai): We were expecting a statement from the Minister of Commerce with regard to....

MR. CHAIRMAN: You are wanting to hear Prof. Chattopadhyaya on the matter which Shri Madhu Limaye has raised. I feel that this is a very delicate mater in which certain Members of the House are involved. It is also very delicate because the question arose out of the proceedings of the other House. I personally feel that we should not start any discussion unless we get the proceedings of the other House. Therefore, I would request hon. Members not to press this matter today. The proceedings would be available tomorrow, the whole thing would be there and we deliberate.

SHRI SHYAMNANDAN MISHRA: The hon. Minister is leaving Delhi tomorrow morning. So that should not prevent us from taking up this subject tomorrow. We only want to tell him that we want to take up this matter tomorrow.

**श्री मधु लिमये** : मैं एक प्रार्थना करना चाहता हूं। मैं कोई विवादास्पद सवाल नहीं उठाना चाहता हूं। चूंकि डिप्टी कामर्स मिनिस्टर ने मुझसे कहा कि मंत्री महोदय कल ईरान जा रहे हैं इसलिए मैंने सोचा और जैसा कि आपके पहले चेयर ने भी निर्णय दिया था मैं कोई हंगामा खड़ी उठाना चाहता हूं, लेकिन क्या आप की अनुमति से मैं मंत्री महोदय से यह कह सकता हूं कि कुछ हमारे जो प्रश्न हैं उन के बारे में सिर्फ जानकारी दें? हम कोई बहस नहीं करेंगे।

MR. CHAIRMAN: Once I permit you to ask questions or certain clarifications, obviously I will not be able to prevent other members from doing the same, which may lead to a controversy. I feel the matter is delicate and

*Amendments moved with the recommendations of the President.

unless we go through the proceedings we cannot decide about the line of action.

SHRI SHYAMNANDAN MISHRA: The position is clear. Even in his absence we will take it up tomorrow.

MR. CHAIRMAN: I am making the position very clear. The Members will have an opportunity of going through the proceedings of the Rajya Sabha and after going through the proceedings, they will take a line of action as they feel necessary and the House will take action.

With these observations, I adjourn the House to re-assemble tomorrow at 11 A.M.

22.21 hrs.

*The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, August 28, 1974/Bhadra 6 1896 (Saka)*

M.G.I.P.N.D.—P.M.R.—1917 LS—Jc. 3501—4-10-74—978.